



PARLIAMENT OF TASMANIA

HOUSE OF ASSEMBLY

REPORT OF DEBATES

Tuesday 3 May 2022

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Tuesday 3 May 2022

SECOND SESSION OF THE FIFTIETH PARLIAMENT

The House met at 11 a.m. pursuant to the proclamation of Her Excellency the Governor.

The Clerk read the proclamation.

The Speaker, **Mr Shelton**, acknowledged the Traditional People and read prayers.

MESSAGE FROM THE GOVERNOR

Attendance of Members - Opening of Parliament

[11.03 a.m.]

The Usher of the Black Rod was admitted and delivered a message from Her Excellency the Governor requesting the attendance of members in the Legislative Council Chamber. Members accordingly proceeded to that Chamber.

Sitting resumed at 11.09 a.m.

Having heard the Her Excellency's Commission for the opening of Parliament, members returned to the House of Assembly.

STATEMENT BY SPEAKER

Resignation of Mr Peter Gutwein

Mr SPEAKER - Honourable members, I wish to advise the House that I have received the following correspondence from her Excellency the Governor:

Government House,
Hobart, Tasmania

8 April 2022

The Honourable Mark Shelton MP,
Speaker of the House of Assembly,
Parliament House,
Hobart 7000:

Dear Mr Speaker,

I have today received a letter dated 8 April 2022 from Mr Peter Gutwein MP tendering his resignation as a Member for Bass in the House of Assembly.

I have instructed the Electoral Commissioner to proceed in accordance with the provisions of Part 9 of the Electoral Act 2004.

Yours sincerely,

Barbara Baker
Governor

MEMBER SWORN

Division of Bass - Mr Simon Wood

Mr Speaker informed the House that Her Excellency the Governor had advised the House of the election upon a recount of the following member for the House of Assembly.

Simon Robert Francis Wood

Mr Wood was sworn and declared that he had read and subscribed to the Code of Conduct.

STATEMENT BY PREMIER

Ministerial Appointments

[11.13 a.m.]

Mr ROCKLIFF (Braddon - Premier) - Mr Speaker, resulting from the resignation of Premier Peter Gutwein, MP, I have been honoured to accept the leadership of the parliamentary Liberal Party and was subsequently appointed as Tasmania's 47th Premier by Her Excellency the Governor on 8 April 2022.

It is my privilege to make the following appointments of Ministers of the Crown.

In addition to Premier, I am appointed Minister for Health, Minister for Mental Health and Wellbeing, Minister for Tourism and Minister for Trade.

Mr Michael Ferguson has been appointed as Deputy Premier, Treasurer, Minister for Infrastructure, Transport, and Minister for Planning.

Ms Elise Archer as Attorney General, Minister for Justice, Minister for Correction and Rehabilitation, Minister for Workplace Safety and Consumer Affairs, and Minister for the Arts.

Mr Guy Barnett as Minister for State Development, Construction, and Housing, Minister for Energy and Renewables, Minister for Resources, and Minister for Veterans' Affairs.

Mr Roger Jaensch as Minister for Education, Children, and Youth, Minister for Schools, Training and Workforce Growth, Minister for the Environment and Climate Change, and Minister for Aboriginal Affairs.

Ms Madeleine Ogilvie as Minister for Small Business, Minister Advanced Manufacturing, and Defence Industries, Minister for Science and Technology, Minister for Racing, and Minister for Heritage.

Mrs Jacquie Petrusma as Minister for Police, Fire and Emergency, Management, Minister for the Prevention of Family Violence, and Minister for Parks.

Mr Nic Street as Minister for Community Services, and Development, Minister for Hospitality and Events, Minister for Sport and Recreation, Minister for Local Government, and Leader of the House.

I also announce the appointment of the Honourable Jo Palmer MLC as Minister for Primary Industries and Water, Minister for Disability Services and Minister for Women. With regard to Ms Palmer being a member of the other place, as has been recent practice, it is our intention to shortly seek the agreement of the House to seek leave of the other place to allow the minister, Ms Palmer, to attend question time here for each sitting.

I am pleased to inform the House that the Honourable Leonie Hiscutt MLC will continue as Leader of the Government in the Legislative Council.

Mr Felix Ellis MP will continue as Government Whip and Parliamentary Secretary to the Premier. Mrs Lara Alexander MP has been appointed as Parliamentary Secretary to the Minister for State Development, Construction and Housing.

Mr Speaker, I am honoured by the trust and confidence shown by the members of the parliamentary Liberal Party to confirm me as their leader. My whole team remains committed to our long-term plan for the state and I can assure all Tasmanians that we hold the utmost conviction to serve them at the highest possible standard.

Government members - Hear, hear.

QUESTION ON NOTICE

The following answer was given to a question upon notice:

19. COVID-19 - TASMANIANS WITH A DISABILITY

Ms O'CONNOR question to MINISTER for HEALTH, Mr ROCKLIFF

Have any Tasmanians with a disability been confirmed as COVID-positive between 15 December 2021 and 8 March 2022, and if so, how many?

ANSWER

See Appendix 1 on page 95.

SPEAKER'S WARRANT

Deputy Chairs of Committees - Appointment

Mr SPEAKER - Honourable members, pursuant to Standing Order 14, I hereby nominate Mr Felix Ellis MP and Mrs Lara Alexander MP to act as Deputy Chairs of

Committees in the absence of, and when requested so to do, by the Chair of the Committees.
Given under my hand this third day of May, 2022.

ACTS ENUMERATION BILL 2022 (No. 21) (pro forma)

First Reading

Bill presented by Mr Rockliff and read the first time.

STATEMENT BY SPEAKER

Opening of the Second Session of the Fiftieth Parliament

Mr SPEAKER - Honourable members, I have to report that the House has this day been to the Legislative Council Chamber when Her Excellency the Governor's Commissioners declared the Second Session of the Fiftieth Parliament open.

STATEMENT BY SPEAKER

Subordinate Legislation Committee - Resignation of Mr John Tucker

Mr SPEAKER - Honourable members, I have received the following communications from Her Excellency the Governor:

Government House,
Hobart, Tasmania

26 April 2022

The Honourable Mark Shelton MP
Speaker of the House of Assembly,
Parliament House,
Hobart TAS 7000

Dear Mr Speaker,

I have the honour to inform you that on 22 April 2022, Mr John Tucker MP tendered his resignation as a Member of the Parliamentary Standing Committee on Subordinate Legislation.

I have enclosed a copy of Mr Tucker's letter of resignation.

Yours sincerely

Barbara Baker
Governor

MOTION

Resumption of Proceedings on Bills

[11.21 a.m.]

Mr STREET (Franklin - Leader of the House) (by leave) - Mr Speaker, I move -

That the following motion for the resumption of proceedings on bills be agreed to:

Resumption of Proceedings on Bills

- (1) That in accordance with Standing Order 248, the proceedings of the:

Safe Climate (Bill No. 16 of 2021);
Cable Car (kunanyi/Mount Wellington) Facilitation Repeal (Bill No. 17 of 2021);
Land Use Planning and Approvals Amendment (Wellington Park Management Trust Veto) (Bill No. 18 of 2021);
Criminal Code Amendment (Misconduct in Public Office) (Bill No. 19 of 2021);
House of Assembly Restoration (Bill No. 20 of 2021);
Public Interest Disclosures (Members of Parliament) (Bill No. 22 of 2021);
Wildlife (Protection of Native Duck Species) (Bill No. 23 of 2021);
Cat Management Amendment (Mandatory Confinement) (Bill No. 24 of 2021);
Environmental Management and Pollution Control Amendment (EPA Independence) (Bill No. 25 of 2021);
Right to Information Amendment (Bill No. 29 of 2021);
Residential Tenancy (Rental Market Reform) Amendment (Bill No. 30 of 2021);
Right to Information Amendment (Public Protected Areas) (Bill No. 31 of 2021);
Nature Conservation Amendment (Brushy Creek Conservation Area) (Bill No. 41 of 2021);
Tasmanian Civil and Administrative Tribunal Amendment (Exhibition of Amended Applications) (Bill No. 62 of 2021);
Climate Change (State Action) Amendment (Bill No. 63 of 2021);
Traffic Amendment (Electronic Billboards) (Bill No. 5);
Youth Justice Amendment (Searches in Custody) (Bill No. 9);
Family Violence Reforms (Bill No. 10);
Electricity Safety (Bill No. 11); and
Roads and Jetties Amendment (Bill No.12)

which were interrupted by the prorogation of Parliament on 5 April 2022, be resumed at the stage at which they were so interrupted.

- (2) That in accordance with Standing Order 248, a message be transmitted to the Legislative Council requesting that the proceedings of the:-

Criminal Code Amendment (Bill No. 4); and
Land Tax Rating Amendment (Bill No. 6)

which were interrupted by the prorogation of Parliament on 5 April 2022, be resumed at the stage at which they were so interrupted.

As I committed in writing to Ms O'Connor and Mr Winter a couple of weeks ago, this motion will re-establish all the bills as they were before parliament was prorogued, including any Labor or Greens bills that were sitting on the Notice Paper at the time. This motion will also send a message to the Legislative Council to ensure that the two bills they have upstairs that they are currently working on can be resumed at the exact point they left them before the parliament was prorogued.

[11.22 a.m.]

Mr WINTER (Franklin) - Mr Speaker, I thank the new Leader of the House and congratulate him on his role. It is important that we outline to the House and to anyone watching, and those reading the *Hansard* in the future, what is actually going on here and why we sit here in May starting the second session of parliament just one year into a four-year term of government.

It is very important that people understand the reason is that the Government decided to prorogue the parliament. That is why this motion has been moved by the Leader of House, not because it was necessary in any way. In fact, the Opposition offered a pair to the Government in order to avoid exactly this situation but former premier, Peter Gutwein, prorogued the parliament anyway with no consultation with the Opposition and, I suspect, no consultation with the crossbench or the Greens in relation to this, and I suspect not much consultation with his own backbench or parliamentary colleagues.

So here we are, one year into a four-year term, with a government that promised a strong, stable majority government that is instead in chaos. We are here because they are a mess. We are onto our second premier in one year. We have had to prorogue the parliament already. Almost a quarter of the Liberal caucus in the House has already resigned and we have not been able to scrutinise this Government for over a month. We have sat for only nine days of parliament in almost half a year -

Members interjecting.

Mr SPEAKER - Order.

Mr WINTER - nine days so far this year from this Government because they decide to prorogue the parliament because they could not come in here and face the music.

Back in 2008 when the premier, Mr Lennon, resigned, the very next day premier Bartlett arrived and sat in that chair and answered questions from the opposition in relation to all manner of things. Do you know what the opposition said that day? They complained that

premier Lennon had not yet resigned from the parliament and that he was getting paid for that one day.

I will tell you what premier Gutwein did - we just heard that he did not resign until the Friday. He went for another four whole days before he finally resigned. Do you know why, Mr Speaker? He had to try to sort out the mess on the other side, the chaos that we have seen from the Liberals over the past month. It has taken the Premier one month to try to clean up the mess that is his Cabinet. He may have needed a bit longer.

The Attorney-General is very upset about her treatment, the embarrassment that was caused, when she nominated for the deputy leadership, publicly announced her candidacy, only to be done over by the new Deputy Premier and Deputy Leader of the Liberal Party, Mr Ferguson.

The former premier, Peter Gutwein, stood here only a couple of months ago and said -

My Government is an aspirational government. Our gaze is not just to the horizon but well beyond.

So far ahead. Two months later that government has gone. Here we go with the half-hearted new Premier, who we look forward to seeing until he decides to hand over the reins to the Deputy Premier. We all know it is coming.

We are dealing with this motion because this chaotic shambles of a government, with a tired leader, an under-performing government, decided to prorogue the parliament. Look at the mess he has built. Look at the mess over there.

When the former premier, Mr Gutwein, built up a budget mess, an infrastructure mess, you see the distractions: the Commonwealth Games bid, a floating stadium. Members opposite did nothing. No consultation on any of those matters. They sat here silently. They finally arrived in parliament minus Mr Brooks already this term, minus Ms Courtney, minus Ms Howlett and minus the premier, who promised strong, stable majority government for four years. He has gone.

The Premier needed a month to sort through this wreck. The Deputy Premier told the Premier that he had the numbers. He told Tasmanians he does his own numbers. The Premier was so impressed that his Deputy Premier could count to eight, he has given him the Treasury portfolio.

The Attorney-General is furious about not being the Deputy Leader and embarrassed that she was encouraged to publicly announce her candidacy for deputy before being done over by her former ally, the now Deputy Premier.

The member for Braddon, Mr Ellis, mounted a beautiful campaign to get on the ministry, only to be publicly admonished by Mrs Rylah. That was a sensational read, Mr Ellis. Well done.

Ms Howlett is travelling the state, campaigning for the Racing portfolio again. She is having races named after herself, desperate to try to get back into the Cabinet. It is an enjoyable watch.

What does this all mean for Tasmanians? It means that we have had 40 days without parliamentary scrutiny. We have had another day today without question time, without the Premier accepting responsibility in answering questions on behalf of the Tasmanian people. They do not have any aspiration left. The aspiration has gone. That lasted two months. One year into this four-year term of government and all they have left is a husk.

[11.29 a.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, the first thing I would like to do is to congratulate our new Premier for taking on the job. It does take courage. I am certain many Tasmanians breathed a sigh of relief when you nominated and secured the premiership.

I also congratulate Mr Ferguson on taking on the Deputy Premiership and Mr Street, who is now the leader of government business. Dr Woodruff and I are particularly pleased about that change because we believe it will lead to potentially more congeniality in this Chamber around motions that come before the House or the business of Government as it is presented. I was very pleased to read in Mr Street's letter to members, to leaders, that he plans for there to be no surprises in his role. I encourage him to stick to that.

I also welcome Mr Wood to parliament as the new member for Bass and encourage Mr Wood to recognise this as an opportunity to serve his people first over his party and to be brave in this place. It is very important that we are.

We are here today, Mr Speaker, having had parliament unnecessarily prorogued. We know that the Opposition offered a pair. It should have been accepted.

Ms Archer - Pairs are not in Standing Orders.

Ms O'CONNOR - It is interesting, Ms Archer, that you feel very free to interject. You are very rarely pulled up but you are a consistent interjector in this place. I note that.

Mr Jaensch - Not like you.

Ms O'CONNOR - I never denied I am. I never pretend I am holier than thou in this place.

A pair was available to Government. There was no need to prorogue the parliament. From the Greens' point of view, it is particularly frustrating that there was no question time today because we have been told that the order of business has on it an allegedly urgent forestry bill which seeks to legitimise decades of unlawful logging.

There is no opportunity to ask the minister the rationale for this legislation. The second reading speech that has been sent through is a complete load of tripe. There is no evidence in the second reading speech as to why these amendments are being made to the Forest Practices Act. It is one of the most disgraceful second reading speeches; it was clearly drafted in the minister's office. It gives us no clue as to what the problem was with the Forest Practices Act which has led to apparently decades of unlawfully certified forest practices plan. As we have no question time today we cannot seek clarity on that. There should have been a question time today.

Dr Woodruff and I support the restoration of the bills and note that, I believe, the majority of them are Greens' bills. It goes to show that we are serious about having a strong legislative agenda in this place. I simply encourage the Labor Opposition to get on board, start presenting legislation in here and tell us what you stand for.

On restoration, this year alone, the Government has lost a third of its Cabinet - three members gone out of Cabinet. We have a Premier who, I believe, felt he had no choice but to resign because he was utterly exhausted. That in very significant part goes to the unsustainably, unjustifiably small size of this House. We had intended to move our in-principle motion that the House supports the restoration of the numbers in our private members' time tomorrow but because we are so serious about removing the politics from this we have made a decision to defer that debate until after the federal election. We can then have a clear-minded debate based on unarguable evidence, including that presented by the parliamentary inquiry into the restoration bill, about the need to restore the numbers in this House so that in 2025 we go to a 35-seat election.

A 25 seat House undermines democracy. It denies Tasmanians the representation that they deserve. We have a backbench which I think is currently made up of only one person, now Mr Wood, who does not have other responsibilities. Yet the Government awards itself four Dorothy Dixers every day. When you do not have a strong backbench in government, you do not have the capacity to properly represent the concerns, hopes and dreams of your constituents. That is the idea of a strong backbench.

Members may want to argue around the margins about what a restored House looks like. People have views on other models, but we live in a Hare Clark system and glory to that, because it is so truly representative. It is the system that we have. Before 1998, this place had 35 members in it. It functioned. The premier of the day was able to draw on a deeper talent pool to have a capable Cabinet that did not essentially exhaust itself on a daily basis because ministers have three, four, five or six portfolios.

I am personally worried that the Premier has kept the Health portfolio. Both jobs are so significant, being Premier of the State of Tasmania and the Health minister. I do not think it is sustainable, particularly when we are still in the grip of a global pandemic. I note that there are two Labor members of the House who cannot be here today because they have tested positive. We still are not dealing with this virus in the way we need to, to prevent mass infection and save lives. We should have a Health minister who is singularly focused on the health system and its responses to people in need and who has the time to investigate why a man who called an ambulance in the north of the state had to wait seven hours and died in that time.

We will move for the House to give its in-principle support to restore the numbers following the federal election.

Mr Speaker, I enjoyed Mr Winter's contribution. It was quite engaging and there was a lot of truth in there but it was very political. In this parliament, perhaps on some of the big issues like how we tackle climate change, how we give young people hope, how we do a reset on COVID-19, there must be a search for common ground because that is what Tasmanians expect of us. That is why they voted for us. To the greatest extent possible, where we can find common ground, we have to do it. The climate situation is deeply alarming and young people are very stressed, as are people of all ages, about the state of the climate and they are looking to places like this and people like us for real leadership.

I encourage our new Premier, who I know is fundamentally decent, to be better than his predecessor. Do not come in here and distort the truth in the way that he so frequently did. Be different. Be committed to transparency and accountability and let your Cabinet know that that is a priority for your Government. Mr Rockliff, be brave.

[11.38 a.m.]

Mr STREET (Franklin - Leader of the House) - Mr Speaker, I do not want to prolong the debate but it has to be said: that was seven of the worst minutes I have heard in here. Ms O'Connor, if you found Mr Winter's contribution engaging, you have let your standards slip since I joined this place in 2016 -

Ms O'Connor - It's been a long time since we've been in here. He said some funny stuff.

Mr STREET - If that is the best you can prepare in the time you had available, Mr Winter, the only thing you actually prepared were two jokes that fell pretty flat. What we saw was seven minutes of what Labor has to offer the Tasmanian people. To the people who are watching, I apologise.

Motion agreed to.

MOTION

Sessional Orders

[11.39 a.m.]

Mr STREET (Franklin - Leader of the House) - Mr Speaker, I move -

That for the remainder of this Session the following Sessional Orders be adopted:

(1) After Standing Order 18, insert the following Sessional Order:

"18A Extension of Day's Sitting

- (1) A Minister may, at any time, but not so as to interrupt another Member while speaking, move without leave and without notice - 'That for this day's sitting, the House shall not stand adjourned at Six o'clock p.m. and that the House continue to sit past Six o'clock p.m.'
- (2) Such motion supersedes the Main Question, if any, before the Chair.
- (3) The Question of the extension of the day's sitting may not be amended and debate thereon shall not be allowed for more than twenty minutes, and in speaking thereon, no Member may exceed five minutes.

- (4) Upon the resolution of the Question of the extension of the day's sitting, Debate on the Main Question, if any, shall resume as if uninterrupted.'
- (2) In Standing Order 22, leave out "past and present", and insert instead, "past, present and emerging".
- (3) In Standing Order 40, leave out paragraph (a), and insert the following new paragraphs:
- "(a) Acknowledgement of Traditional People;
- (aa) Prayers and Reflection;"
- (4) In Standing Order 42, leave out all the words after "Unless otherwise ordered", and insert instead:
- "(a) Private Members Business will have priority from 2.30 p.m. till 6.00 p.m. on Wednesdays.
- (b) Private Members Business which has been on the Notice Paper for the period required by the Standing Orders may be called on by a Member of the group which has been allocated time pursuant to the following weekly rotations -

WEEK ONE

2.30 p.m. to 3.30 p.m.	Government Private Members
3.30 p.m. to 5.00 p.m.	Opposition Members
5.00 p.m. to 6.00 p.m.	Greens Members

WEEK TWO

2.30 p.m. to 3.30 p.m.	Greens Members
3.30 p.m. to 5.00 p.m.	Opposition Members
5.00 p.m. to 6.00 p.m.	Government Private Members

- (c) Notwithstanding the provisions of paragraph (a) and the weekly rotations prescribed in paragraph (b) -
- (i) the Independent Member for Clark, may, once in every second rotation of 'Week One'; and
- (ii) the Independent Member for Franklin, may, once in every second rotation of 'Week Two',

call on an item of Private Members' Business at Noon to 1.00 p.m.

- (d) the Member calling on an item in Private Members' Business may, in doing so, state that at the conclusion of that time for the debate on that day, the matter be voted upon.
 - (e) at the commencement of the time allocated for a group's Private Members' Business, the Whip or any other Member of that group, may indicate to the Speaker that its time be waived, in which case, the House shall immediately proceed with Government Business for that allocation of time."
- (5) Standing Order 46 be suspended.
- (6) After Standing Order 48, the following Sessional Order is inserted:
- "48A Minimum number of Questions
- Notwithstanding the provisions of Standing Order 47, the Speaker shall ensure that a minimum of questions without notice to be asked shall be seven by the Opposition, four by the Government Private Members, two by Members of the Greens, and one by each Independent Member, if such Members seek the call."
- (7) In Standing Order 76, after paragraph (3), by adding the following new paragraph:
- "(4) On Tuesdays and Wednesdays priority shall be given to the Opposition to raise a Matter of Public Importance and on Thursdays priority shall be given to Members other than the Opposition. Government Private Members shall only be given priority on every third sitting week."
- (8) In Standing Order 129, by adding the following new paragraph:
- "(2) A Member who has moved a substantive motion, or has moved an Order of the Day, may move the adjournment of the debate pursuant to paragraph (1), but such motion shall not be taken to be the 'reply' prescribed by Standing Order 128."
- (9) In Standing Order 139:
- (a) by leaving out "of the House or"; and
 - (b) by leaving out "a quarter of an hour", and insert instead, "fifteen minutes".

Mr Speaker, these are the Sessional Orders that I let Mr Winter and Ms O'Connor know about in the letter I sent to them two weeks ago. There is a slight alteration to the acknowledgement of country to insert the word 'emerging'. The observant ones in here would notice that the start only referred to 'past and present', because that is what is in the Standing Orders. We are altering the Sessional Orders to basically match what is said each morning, which is to acknowledge leaders past, present and emerging.

Also within the Sessional Orders are arrangements for both Independent members to receive a question in question time each day if they so seek the call, as well as an arrangement for private members' time for both Independent members, which I think they are already aware of.

[11.40 a.m.]

Mr WINTER (Franklin) - Mr Speaker, I acknowledge that Mr Street sent a letter to me and the crossbench a couple of weeks ago and gave us a good heads-up on what is to be expected here. We appreciate very much that early opportunity to have a look at what is proposed.

As Mr Street outlined, we noticed this morning that the acknowledgement was in line with what is in the orders at the moment. What has been proposed here is to add the word 'emerging'.

When I was doing my research on this, I looked back to 19 March 2019 and noticed that the then Leader of Government Business, Mr Ferguson, talked about the third amendment then being the acknowledgement of traditional owners and contemporary practices to acknowledge emerging leaders past and present. Our Caucus discussed that there are some alternative views or some views particularly within the Aboriginal community that the acknowledgement of emerging leaders is perhaps not as contemporary as it was in 2019. Whilst I understand that the purpose of this is just to align what is in the orders with what you have been saying, I wondered if the Leader of the House could perhaps commit to having a conversation with the Aboriginal community about the relevance or otherwise of the word 'emerging' and whether that is still contemporary, as part of his ongoing working role.

[11.42 a.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, I start by acknowledging that we meet on stolen land, and we are meeting on the land of a lost tribe, the muwinina people. I also want to acknowledge that this parliament has committed to truth telling and treaty and genuine reconciliation, and we have stated collectively that it has to be more than words.

I note that this morning members of the Tasmanian Aboriginal community stood together to strongly encourage Government and members in this place just to get on with treaty. A people who have waited more than two centuries for some measure of justice should not be made to wait very much longer. I am looking forward to a statement from our new Premier that strongly recommits to truth telling and treaty and lays out a time line for this vitally important process. It is not just important for Tasmanian Aboriginal people. It is important for the whole community that we resolve our relationship and our history with Aboriginal Tasmanians, because as a state it holds us back that we are not moving towards genuine reconciliation fast enough.

As part of that, we need to see some lands returned to their true owners. It has been nearly 20 years, I think, since any land went back to Aboriginal people; I believe 2005 was when there were the last land returns. That is far from good enough. I encourage the new Premier to tell us what his plans are for treaty.

Mr Speaker, we have an amendment - as I am sure members would expect - to the Sessional Orders. I am sorry they were not circulated earlier and I am sorry that I am wandering around without my mask on.

Dorothy Dixers are an insult to transparency. They are disrespectful to the people who put us in here. They are fundamentally a disgrace. The intention of our amendment is to do away with Dorothy Dixers. Every member of this place knows when they go out into the community and talk about what Dorothy Dixers are, Tasmanians scratch their head and, frankly, they are disgusted.

We are also seeking to have time limits put on questions and on answers. This is something that we know, at least in the previous parliament, which was only six or so weeks ago, government recognises the need for.

Mr Speaker, I move -

That clause 6 of the motion be amended by omitting everything after the words 'the following' and inserting instead -

"Sessional Orders be inserted -

48A Minimum number of Questions

Notwithstanding the provisions of Standing Order 47, the Speaker shall ensure that a minimum of questions without notice to be asked shall be eight by the Opposition, three by Members of the Greens, and two by each Independent Member if such Members seek the call.

48B Maximum time for Questions and answers -

Notwithstanding the provisions of standing order 48, the Speaker shall ensure the time taken to ask a Question does not exceed one minute, and the time taken to answer a Question does not exceed four minutes."

We do this in the interests of democracy and transparency. Because we are incredibly fair minded, we have slightly robbed ourselves. However, there is no justification for a backbench, which is really reduced to one, having four questions. It does not pass the decency test; it does not pass the fairness test or the transparency test.

We have reallocated the Dorothy Dixers in a way that we feel serves the Tasmanian people well. If we had a commitment from Government that their backbencher, singular, would ask a question that was not prepared in a minister's office with a rote speech to respond to it, we might view this differently.

If the backbench in the government was performing in a way that a backbench should in a Westminster system, the Dorothy Dixers would not be such tripe, they would be genuine questions out of communities from constituents that backbenchers could ask a minister of the day. That is what the original Dorothy Dix questions were supposed to be about but instead they have turned into an exercise in propaganda that wastes about a third of question time.

Obviously, part of the problem with question time is ministers who talk and talk. We have some answers, not to the questions that come from the Opposition or the crossbench generally, but we have some answers that run into seven minutes in length.

Mr Jaensch - Too much information?

Ms O'CONNOR - It would be different, and I respond to Mr Jaensch, if what we were getting in answers was evidence that the minister was across their brief, but so often what we have is a minister who gets a Dorothy Dixer who word for word, with a little bit of performance in the middle, reads from a prepared script. That tells this House that the minister can read. It does not tell this House that the minister is across their brief.

I do not know what happens in the minds of government ministers, but I do know what it was like to be a minister and walk in here and want to demonstrate to the House that I was across my brief. I did not just read out pap from the department or prepared by a political adviser. Ministers in here should not.

I encourage you, Mr Jaensch, to look back at some of my answers. I know it is novel, but they were actual answers.

Mr Jaensch - I am sure I will.

Ms O'CONNOR - We recognise that our amendments probably will not pass. I understand that because no government is going to take away an opportunity to remove a third of the scrutiny provisions in question time, but this should be done. This would pass the pub test. Dorothy Dixers and ministers who blabber on for six and seven minutes do not pass the pub test. I commend our amendment to the House.

[11.51 a.m.]

Mr STREET (Franklin - Leader of the House) - Very briefly, Mr Speaker, Ms O'Connor led with her amendment by saying that we would not be surprised that she was bringing the amendment in. She will not be surprised to learn that the Government will not be supporting it. Government backbenchers have as much right to ask questions as any other member of this place.

I cannot believe that Dr Woodruff agreed with the amendment as proposed. Limiting the time taken to ask a question to one minute would seriously cramp your style, Dr Woodruff.

I think this motion is counterproductive to your flow in this place, Dr Woodruff. The Government will not be supporting it.

As I said, Ms O'Connor will not be surprised that we are not supporting this. The motion sets out the minimum number of questions without which there would be no certainty over the number of questions that could be asked each day. As you so commonly say in this place, no

one of us owns this place, Ms O'Connor. Government backbenchers are as entitled to ask questions as members opposite and they will continue to do so.

[11.52 a.m.]

Mr WINTER (Franklin) - Mr Speaker, I want to make the overarching point that during the last session of this parliament we talked about these matters being better dealt with around a table or in a committee. This time the Leader of the Greens has dropped an amendment and ended her speech by saying that it will not get up. Here we are, wasting valuable parliamentary time because the Leader of the Greens wants to try -

Members interjecting.

Mr SPEAKER - Order.

Mr WINTER - Labor will support the amendment as put.

Through you, Mr Speaker, my point to Ms O'Connor is that if we want to improve the standards in this place and improve scrutiny on the Government that does not like scrutiny, it would be better to deal with these matters in a nicer way.

I had not seen this amendment until just recently but my recollection is that the former Leader of Government Business, just during the last session of this parliament, proposed time limits on questions and answers.

It was the Government that put that on the table so I am surprised to hear that the new leader of government business does not think that is a good idea because the former leader of government business did think it was a good idea only a month or so ago. Now the new leader of government business does not seem to think it is a good idea at all.

It would be good to get answers from ministers. That is but a dream. All we do in this place is ask very serious questions. It does not seem to matter whether you ask one-line questions or, as in Dr Woodruff's case, a minute-and-a-half questions, you still do not get an answer. If there is a silver bullet to getting an answer out of this Government, I am not aware of what it is.

I like the intent of the Leader of the Greens in trying to tighten up answers and extract answers to questions. As the Government is not going to support this, it is obvious we are not going to get that today.

In relation to the proroguing of parliament and the changeover of premiers, I was amazed to read in *Hansard* when ministers of the former Labor government actually answered questions. I read it, and I thought to myself, 'Do you mean to say there was a point in time in which this parliament, the ministers of the Crown, actually answered questions?' Extraordinary stuff. When you arrive in this place and listen to the answers from members opposite, you never get answers to questions, even the simplest of questions.

I would love to see the new Leader of the House, the Leader of the Greens, and any other members who wanted to participate in a constructive discussion about this. The way question time is currently working does not work for parliament, does not work to extract answers, and it is not working for Tasmanians because they are not getting the answers to very simple

questions. Labor will support the proposed amendment from the Leader of the Greens, partially in line with what the Government proposed only a couple of months ago. I hope the Leader of the House might have a change of heart.

[11.56 a.m.]

Ms JOHNSTON (Clark) - Mr Speaker, I will keep my contribution short because I have people in my electorate office at the moment who are homeless, waiting on surgeries and things like that. They would much rather us get on with the business of trying to deal with those issues.

I thank the Leader of the Greens for bringing forward this important amendment. I will be supporting it because it is an opportunity that we have each time we sit in this parliament to question the Government, particularly to ask questions of the Government on behalf of our constituents, many of whom are dealing with some very serious, often life-threatening, issues.

It is a shame that question time has become a forum where what we hear from Government is media release after media release. Often when a minister gets up you will see on Twitter the Government's media release going out at the same time. It is the exact response that the minister is giving to parliament. That is unfortunate, because there needs to be an opportunity for members of the community to ask questions.

I often ask my community what I can do to represent them and advocate for them. I hear their frustrations when I tell them I am only given one question every question time, that the Opposition and the crossbench is restricted, yet that the Government gets four opportunities to ask questions of itself. We can all read. If the Government is so keen to champion what it is doing and pat itself on the back, send that out as an email, I am sure we will read it, but give us the opportunity to ask questions, to hold the Government to account on behalf of our very concerned constituents.

I will be supporting the amendment, and I would like to get back to talking about homelessness in particular, and people waiting on surgeries.

Ms White - Mr Speaker, can I seek guidance from the mover of the amendment? Through you, will those amendments be moved together or separately?

Ms O'Connor - They have been moved together, yes. I know you do not want to get rid of Dorothy Dixers for the next time you are in government. I understand that. I get it.

Mr SPEAKER - The question is that the amendment be agreed to.

The House divided -

AYES 10

Ms Butler
Ms Dow
Ms Finlay
Ms Johnston
Mr O'Byrne
Ms O'Byrne

NOES 10

Mrs Alexander (Teller)
Mr Barnett
Mr Ellis
Mr Ferguson
Mr Jaensch
Ms Ogilvie

Ms O'Connor
Ms White
Mr Winter
Dr Woodruff (Teller)

Mrs Petrusma
Mr Rockliff
Mr Street
Mr Wood

PAIRS

Dr Broad
Ms Haddad

Ms Archer
Mr Tucker

Mr SPEAKER - The numbers being equal, in accordance with Standing Order 167, I cast my vote with the Noes.

Amendment negatived.

[12.03 p.m.]

Mr STREET (Franklin - Leader of the House) - Mr Speaker, on the acknowledgement, I recognise exactly where both Ms O'Connor and Mr Winter are coming from. My only intention in consultation with the Clerk, with inserting the word 'emerging' at this stage was to reflect what was being said each morning, so that it was reflected in the sessional orders rather than the Speaker reading something that was not reflective of what was in the orders. That is why I have done it. I am more than happy to have a conversation with the Aboriginal community or with members of the Opposition or the crossbench on that issue. As for the other issues, I think enough has been said.

Motion agreed to.

MOTION

Committees - Appointment of Members

[12.04 p.m.]

Mr STREET (Franklin - Leader of the House) - Mr Speaker, I move -

That the following motion to appoint members to committees be agreed to:

- (1) That the following Members of this House be appointed to serve on the Joint Committee of both Houses to manage the Library:

The Speaker;
The Chair of Committees;
Mrs Alexander;
Dr Broad;
Ms Dow; and
Mr Ellis
(S.O. No. 323)

- (2) That the following Members of this House be appointed to serve on the Joint Committee of both Houses (known as the House

Committee) to control Parliament House and grounds, including catering for Parliament:

The Speaker;
The Chair of Committees; and
Mr Winter
(S.O. No. 323)

- (3) That Mr Wood be appointed to serve on the Parliamentary Standing Committee on Subordinate Legislation in accordance with the provisions of section 4 of the Subordinate Legislation Committee Act (No. 44 of 1969).

The Library committee will stay the same without change from the last session, as will the House committee. The only change in the committee structure is that Mr Tucker has resigned from the Subordinate Legislation Committee. We are proposing that Mr Wood, our new member for Bass joins the Subordinate Legislation Committee.

[12.04 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, I note that when you have a look again at the membership of committees, it is a complete stitch up by the Liberal Party and the Labor Party. You have four members now in a 25-seat House who effectively form the crossbench and there is no capacity for any other member who is not in the Government or the Opposition to contribute to the work of the committees of this place.

I listened carefully to what Mr Winter said before about how it would be good if we could all get together and talk about the Standing Orders or the Sessional Orders or what Aboriginal people would like to see in our acknowledgement. Sure, we can do that outside the committee process, but there are committees that could do this work. I simply note that.

It is a bit of a cabal, basically, which stitches it up between the party of government and the party that wants to be in government; it is not democratic. It also does not tap into the expertise and capacity of other members in this place such as Dr Woodruff, myself, Ms Johnston and Mr O'Byrne, all of whom could make a really positive contribution to the work of committees. Some of us have spent a lot of time doing committee work, so we think this is unfair, unjust and undemocratic. I simply want that noted.

Motion agreed to.

MESSAGE TO LEGISLATIVE COUNCIL

Attendance of Legislative Council Ministers at Question Time

[12.06 p.m.]

Mr STREET (Franklin - Leader of the House) - Mr Speaker, I move -

That pursuant to the provisions of House of Assembly Standing Order 50, a Message be transmitted to the Legislative Council requesting that the Legislative Council give leave for any Member of the Legislative Council

who is a Minister of the Crown to attend the Assembly so as to respond specifically to Questions without Notice seeking information of the kind covered by the Standing Orders of the Assembly.

This is to reflect that Ms Palmer is now a minister and will attend question time when the Legislative Council is sitting. My understanding is that it is exactly the same arrangement that has been in place for both sides of government previously.

Motion agreed to.

**APPROPRIATION (SUPPLEMENTARY APPROPRIATION FOR 2021-22) BILL
2022 (No. 14)**

**LAND TAX RATING AMENDMENT (FOREIGN INVESTORS) BILL 2022
(No. 16)**

LAND TAX AMENDMENT (FOREIGN INVESTORS) BILL 2022 (No. 17)

DUTIES AMENDMENT BILL 2022 (No. 18)

First Reading

Bills presented by Mr Ferguson and read the first time.

**POLICE OFFENCES AMENDMENT (WORKPLACE PROTECTION) BILL
2022 (No. 15)**

First Reading

Mr BARNETT (Lyons - Minister for Resources) - Mr Speaker, I present the Police Offences Amendment (Workplace Protection) Bill 2022 (No. 15).

Mr Speaker, I move that the bill be now read the first time -

Mr SPEAKER - The question is that the bill now be read the first time.

The House divided -

AYES 19

Mrs Alexander (Teller)
Ms Archer
Mr Barnett
Ms Butler
Ms Dow
Mr Ellis
Mr Ferguson
Ms Finlay
Mr Jaensch

NOES 3

Ms Johnston
Ms O'Connor
Dr Woodruff (Teller)

Mr O'Byrne
Ms O'Byrne
Ms Ogilvie
Mrs Petrusma
Mr Rockliff
Mr Street
Mr Tucker
Ms White
Mr Winter
Mr Wood

Bill read the first time.

FOREST PRACTICES AMENDMENT (VALIDATION) BILL 2022 (No. 13)

First Reading

Bill presented by Mr Barnett and read the first time.

MOTION

Leave to Move Motion without Notice

[12.13 p.m.]

Mr STREET (Franklin - Leader of the House) - Mr Speaker, I seek leave to move a motion without notice.

Mr SPEAKER - The question is that the motion be agreed to.

The House divided -

AYES 19

Mrs Alexander (Teller)
Ms Archer
Mr Barnett
Ms Butler
Ms Dow
Mr Ellis
Mr Ferguson
Ms Finlay
Mr Jaensch
Mr O'Byrne
Ms O'Byrne
Ms Ogilvie
Mrs Petrusma
Mr Rockliff
Mr Street

NOES 3

Ms Johnston
Ms O'Connor
Dr Woodruff (Teller)

Mr Tucker
Ms White
Mr Winter
Mr Wood

Motion agreed to.

SUSPENSION OF STANDING ORDERS

Pass all Stages - Forest Practices Amendment (Validation) Bill 2022 (No. 13)

[12.18 p.m.]

Mr STREET (Leader of the House) - Mr Speaker, I move that -

So much of Standing Orders be suspended as would prevent the Forest Practices Amendment (Validation) Bill 2022 (No. 13) proceeding through all remaining stages at this day's sitting.

Mr Speaker, when I wrote to Mr Winter and Ms O'Connor and copied in the two Independent members a couple of weeks ago I promised no surprises from me. I meant that in terms of procedures and processes in this place, but I have to say that the Minister for Resources has met that expectation as well. He wrote to all members yesterday and included a copy of the bill. In his letter he explained why he considers this an urgent matter, and why we as a Government consider it an urgent matter.

The bill is being introduced to provide certainty for a critical industry. The bill also seeks to resolve what can be described as a longstanding and highly technical administrative matter. That issue relates to the manner and construction of a delegation issued under the Forest Practices Act 1985 and it is because instruments of delegation have been issued in a similar form since the act commenced some 37 years ago. I want to be clear; the issue at hand is related to the construction and form of instruments of delegation, not the safety or appropriateness of forest operations undertaken on ground. This bill simply seeks to remove doubt. By removing doubt, this parliament can provide much needed certainty to the industry. It is essential to both historical and ongoing forestry operations that such a matter is dealt with in a timely manner. I thank the Labor Party for supporting the seeking of leave on this matter, notwithstanding that I do not want to talk over the top of what they might contribute to this.

The Government has chosen to act swiftly in this matter and it is our intention to move that the bill be debated as a matter of urgency to remove doubt and provide certainty for the industry and to get this bill to the Legislative Council as quickly as possible.

[12.20 p.m.]

Mr WINTER (Franklin) - Mr Speaker, we just heard the Leader of House say the Government seeks to act swiftly on this. Labor will be supporting the motion but I want to point out that during the time in which it became apparent that there is an issue, parliament has been prorogued. The reason we need to do that is because the Government is in chaos, in disarray, and had to prorogue parliament. It is an urgent issue. It could have been dealt with by the first session of parliament with a pair from the Opposition. That was offered. It could have been dealt with by now. Instead we are here, in May, having to deal with it as an urgent

item because the Government prorogued parliament. It is a critical issue, it is a critical industry, and it is critical that this matter is resolved. That is why Labor will support the Government in dealing with this urgently.

It has to be said that this has been left unresolved for a number of weeks because parliament was not able to sit. It did not exist. The second session has only commenced today. During that time the Government has been unable to resolve this matter simply because of their own chaos and dysfunction.

While supporting the motion that the Leader of the House has just put to this place, it needs to be noted that it did not have to be dealt with like this. It should have been dealt with already.

[12.22 p.m.]

Ms O'CONNOR (Franklin) - Mr Speaker, the new Leader of the House has rightly indicated that he wants there to be no surprises on procedural matters. I will just let you know, Mr Street, that while we received a letter and the legislation from Mr Barnett yesterday, the second reading speech, clause notes and fact sheet did not arrive until this morning. That is not open and transparent.

You can go through the second reading speech and the clause notes and still be no wiser about what the problem is. The bill we are being asked to debate today on very short notice seeks to validate all delegations made, or purportedly made, by the Forest Practices Authority prior to this legislation. That goes back decades.

One of the reasons that this is highly problematic is that this Government has been extremely coy with details on what the actual problems are. What is the problem? What is this 'highly technical administrative issue'? Mr Barnett says, in one of the most ridiculous second reading speeches I have ever had the misfortune to glance over, 'the issue is with the particular use of a small subset of words', but these words have not been provided in this place. These words are not articulated in the second reading speech. There is nothing in the clause notes.

So, day one, under a new premier, and already the first legislative order of business is based on a deception from this minister who is a repeat offender; this minister by default obfuscates and deflects. We do not know from the material that has been provided exactly what the problem is, because the minister does not have the respect to tell us. Because there was no question time this morning, we have no capacity to ask questions, for example, of the new Premier about why this would be an urgent bill.

Why did the new Premier allow this divisive, controversial legislation to be the first order of legislative business on the first day, given that the problem has existed, apparently, since the Forest Practices Act was passed in 1985?

What we know is that whatever this problem is, it started with the arrests in the North East Tiers in late 2020, on a day when Senator Whish-Wilson, Ms Giblin and I were in the North East Tiers. Those arrests were made, apparently, unlawfully. That is not the fault of Tasmania Police but because the forest practices plan over that logged forest was not lawfully constituted. We did not have any honesty from the minister going back to October-November 2020 and we are being asked to deal with this as an urgent bill today.

The other question we would have asked if there had been a question time is how come Mr Tucker is allowed to vote on this bill? He is conflicted. Mr Tucker is currently before the court over a forest practices plan which, it is argued, is invalid. Mr Tucker gets to vote on a piece of legislation which, should it pass, will materially benefit him because the back clause in this bill retrospectively validates all previous forest practices plans. There is a standing order that prohibits a member from voting on a matter, legislation, in which they have a conflict of interest. Mr Tucker wants to clear-fell about 1800 hectares of bushland near Ansons Bay. That is a climate crime, it is crime against nature, but the fact is he is before the courts, because thank goodness the Tasmanian Conservation Trust has taken him on. There is no way that Mr Tucker should be allowed to vote on this legislation.

We demand that the minister tells the truth about this bill. What is the particular use of a small subset of words? We have spoken to seasoned lawyers who are still scratching their heads because of how opaque the second reading speech and the clause notes and every word that comes out of Mr Barnett's mouth on this issue are.

Premier, you should expect better from your Cabinet. There is a stink hanging over this legislation, which we are being asked to jam through this place today. There has been no argument made for urgency, other than to provide industry with certainty.

The native forest logging industry in this place has plenty of certainty. It is certain it will be heavily subsidised. It is certain the Government will back it all the way. The native forest logging industry gets everything it wants out of both the Liberal and Labor parties when they are in government. On the first day back we are being asked to accept that this is an urgent bill. It is not. It is dodgy and it stinks.

Time expired.

[12.29 p.m.]

Mr TUCKER (Lyons) - Mr Speaker, I would have liked to have made this statement before the vote on the first reading. This is my first opportunity to speak.

I have sought advice from the Clerk of the House in relation to the bill before the House regarding my participation in the debate, having regard to my agricultural property interests, which are disclosed in my annual return to the Clerk. As per the requirements of the Parliamentary Disclosure of Interests Act 1996, it is a matter of public record published online on the Parliament of Tasmania website.

After taking into consideration a range of advice and the relevant standing orders, I advise the House that I will exercise my vote at all stages of this legislation.

Ms O'Connor - Shame on you.

Mr TUCKER - Standing Order 2(d) states, in part, that a conflict of interest does not exist where the member, their spouse or domestic partner, relative or associate is affected only as a member of the public or of a broad class of persons. As a member of broad class of persons, that is, an agricultural landowner as per the provisions of Standing Order 2(d), my clear position is that a conflict of interest does not exist.

Standing order 169 states, in part, that members shall not be entitled to vote upon any question in which they have direct pecuniary interest, such interest being an immediate and personal and not merely of a general or remote description.

This legislation arises from Government policy and seeks to resolve a highly technical administrative matter. It does not identify me personally nor do I have any direct pecuniary interest in it.

Mr Speaker, I have formed the view that I am entitled to vote and will do so at all stages of the proceeding of this bill. I advise the House that I will take no other part in this debate. Thank you.

[12.31 p.m.]

Mr BARNETT (Lyons - Minister for Resources) - Mr Speaker, I support the motion that standing orders be suspended to enable the matter of urgency to be debated. As Minister for Resources responsible for this portfolio I want to say how important it is. It is a keystone sector that flourishes in rural and regional areas. It is worth \$1.2 billion to the Tasmanian economy, providing 5700 jobs. It is sustainable, it is renewable, it is well managed and it is regulated by the Forest Practices Authority.

It is important that we progress out of an abundance of caution to remove doubt and to validate the legislation that has been in place since 1985. In Tasmania we have more than 150 forest practice officers. An estimated 500 forest harvesting practices plans each year are signed off. This applies not just to native forest: this applies to plantation timber, and it applies on both Government land and private land.

The Greens have a well-known position of opposition to the native forest sector based on their views, that have been expressed time and again. We know where their position is, we know their opposition to the industry and to the jobs in that sector. At every stage they will try to knock it down and knock out of work the thousands of people who work in the native forestry sector.

I am acting as the minister on behalf of the Government but also on behalf of governments going back to 1985. We are talking Labor governments, Labor-Green governments, Liberal governments. I want to acknowledge and thank the Leader of Opposition Business for indicating support for this motion. I want to acknowledge and thank the Opposition Leader for the comments we have shared in the past 24 hours.

I know and understand their support for the industry. We are acting to remove doubt, to provide certainty for the sector. I acted as swiftly as possible. I announced on 6 April that the Government would be introducing validating legislation to resolve this matter of uncertainty in what is a highly technical administrative matter. I had communications directly with my shadow minister at the time. It was most appropriate. The bill tabled here today-

Mr Winter - Is that right? That is not what he said.

Mr BARNETT - Well, we can talk about that, but I had discussions with the shadow minister for resources at the time.

Mr Winter - You are being very nice, now that you need us.

Mr BARNETT - I offered a briefing at the time, and then had further discussions with the shadow minister. I am happy to have further discussions at any time, day or night, because this is so important. It goes to a highly technical matter regarding the delegation and how it is written, since 1987 when the Forest Practices Authority was established. It is not about the safety or appropriateness or sustainability of the forest industry.

It is critical to note that the forest practices system applies across native and plantation forestry on public and private land. We will be moving swiftly to remove doubt. Regarding the Leader of Opposition Business, we have moved as swiftly as possible. You will understand, once the train wheels are off, that in Government there are processes around bringing legislation to parliament.

We moved very swiftly through the Cabinet processes to get advice, not just from my department but from other legal sources and other advice from the Forest Practices Authority. We moved swiftly to expedite this matter. That is why we are debating this bill today. That is why I urge support for the urgency motion. We need to move swiftly, we need to provide that certainty. We do not want weeks of uncertainty. We know the views of the Greens and the Bob Brown Foundation. They have a very dedicated, intense objective to destroy the native forest industry. In this action they would be destroying the entire forest industry - plantation, public and private land. We know where they are coming from. We need to inject that certainty. This is what this debate will provide. We have industry support. I am happy to say more about that later.

[12.38 p.m.]

Dr WOODRUFF (Franklin) - Mr Speaker, we do not believe anything this minister says. Falsehoods fall out of his mouth before he drinks anything in the morning. He gets out of bed, he comes into this place and he takes his ministerial duties completely without any seriousness. He brings the Westminster system into disrepute. As a minister of the Crown he has overseen two separate unlawful approvals. First with MMG, where he was forced to back down because the Bob Brown Foundation rightfully challenged his illegal approvals for MMG to go into the Tarkine area.

I want to acknowledge sitting here in the House with us today is Jenny Weber, who has successfully led the peaceful protesters from the Bob Brown Foundation, holding at bay the maws of MMG, the Chinese-owned company seeking to enter into pristine Tarkine forest area. Those people have been standing against the destruction that would be wrought on that place if a tailings dam was put there.

The minister illegally approved the exploration licence and was forced to back down when BBF pointed it out. They would have taken the Government to court and they would have won. He knew it and he backed down.

Of this bill, which is being rushed into this place, the minister said he announced on 6 April he would be bringing it in. Ms O'Connor and I saw the clause notes and the second reading speech this morning. It looked like a six-year-old had written them on their -

Mr BARNETT - Point of order, Mr Speaker, they were sent last night at 6 p.m. Misleading statements are totally inappropriate.

Mr SPEAKER - That is not a point of order.

Dr WOODRUFF - Thank you, Mr Speaker. I apologise, I saw them this morning.

Mr Barnett - They were emailed at 6 p.m. last night.

Mr SPEAKER - Order.

Dr WOODRUFF - Fine. The point stands. The minister was not prepared to provide us with the evidence of why this bill should be brought into this place with any urgency. What is in this bill is utterly opaque. It makes no sense.

The clause notes, the bill, the second reading speech, do not go to the detail of what the minister is seeking to change. We cannot look at a bill in this place today when the Government has refused to provide the information to members of the House about what it is seeking to change. It is clear that we have no idea what this bill is seeking to change. The Government continues to try to deny what has been going on. It is clear, it seems, that since 1985 this Government, and previous governments, have been illegally logging native forests in Tasmania.

We have always known it has been immoral. We understand it is a climate crime to be logging these highly biodiverse forests when global heating is rapidly accelerating. Now we find out it has also been illegal.

The minister continues to pretend to Tasmanians that this is a technical error, it is a minor administrative matter. Every bill before this place contains technical and administrative details. That is why what we do in this place matters. What we do is look at the letter of the law. The Government is refusing to provide us with the details of what it is seeking to change. We do not have the information in front of us. It cannot be an urgent matter if the minister has refused to provide it to us since 6 April. We do not have it in front of us today -

Mr Jaensch - Did you get a briefing?

Dr WOODRUFF - We do not need a briefing.

Mr Jaensch - You do not want a briefing?

Dr WOODRUFF - We do not need a briefing when we get more spin from your office. We never get straight information. You never give a straight answer.

Government members interjecting.

Mr SPEAKER - Order.

Dr WOODRUFF - What is the point? What is the point in us seeking a briefing?

Mr Jaensch - So, you want the information but not the briefing?

Dr WOODRUFF - Why would we seek a briefing from a minister and his office who cannot speak straight to Tasmanians and refuses to speak straight to the Greens about what is going on?

There have been 23 arrests since December 2020 in the Wentworth and Eastern Tiers area. Those arrests, by the evidence before us, have been illegal. People's lives and hearts have been terribly damaged by the efforts to peacefully protect our native forests that have been illegally logged since at least December 2020, but by the Government's own admission it appears since 1985. What is going on here? We have had 38 arrests dropped by the prosecutor because it appears that the Helilog Road lease approval this minister signed was also illegal, so we cannot get to the truth of this minister but it is abundantly clear to Tasmanians that our native forests have to remain in the ground. It is a crime to continue to log them. We are in a biodiversity crisis. We have only a short eight years now to do everything we can to keep all the carbon in the ground. We do not support this being an urgent matter because we must end native forest logging in Tasmania and we must end the illegality of this Government's actions and the effect it is having on us.

[12.45 p.m.]

Ms JOHNSTON (Clark) - Mr Speaker, I take my role in this House very seriously and part of that role is to scrutinise the bills that come before us on behalf of the community that I represent and serve. In doing so I like to take the opportunity, wherever possible, to accept a briefing, and I acknowledge the ministers are very good in ensuring that we are able to access briefings.

I have a concern and I will not be supporting an urgency motion in this particular instance because the case has not been made out that this is indeed urgent. I understand it is a very technical case of legislation. The time has not been afforded to members of this House to adequately scrutinise what is meant to be a very technical bill.

I understand that the minister made announcements on 6 April of his intent to table this bill as soon as possible but the detail in that bill was not made apparent until yesterday when we received an email from the minister by my records in my inbox at 10.31 a.m. I thank him for sending that through as soon as possible but it is still a very short period of time in which to scrutinise a technical bill.

The bill package did not arrive to me until 12.21 in my email box today, so whilst we have been sitting here debating this urgency motion the bill package actually arrived. I have not had the opportunity to read through the clause notes to understand the second reading speech, look at the fact sheet and to understand what this bill is trying to achieve and its clauses in particular. I note that I have been offered and have accepted a briefing but that will not occur until 1 p.m. today.

It is really important that we, as members of the House, are given the opportunity to scrutinise bills before us and make sure we understand what it is that we are debating and what we are potentially passing or not passing. I do not think the case has been made that this is urgent. I see no reason why it could not wait until Thursday, the appropriate time for the bill to sit on the table. I understand it is because the Government feels it has been too long since the first issue was identified but again, the fact that the parliament was prorogued is not the community's fault. The community expects us to be here scrutinising legislation. It is the Government's problem that they need to wait until Thursday to have this bill dealt with and I think that is appropriate because it is important that all members of this House are across the detail and can hand on heart say to the community they represent that they have scrutinised this bill properly, as is their job.

Mr SPEAKER - The question is that the motion be agreed to.

The House divided -

AYES 19

Mrs Alexander (Teller)
Ms Archer
Mr Barnett
Ms Butler
Ms Dow
Mr Ellis
Mr Ferguson
Ms Finlay
Mr Jaensch
Mr O'Byrne
Ms O'Byrne
Ms Ogilvie
Mrs Petrusma
Mr Rockliff
Mr Street
Mr Tucker
Ms White
Mr Winter
Mr Wood

NOES 3

Ms Johnston (Teller)
Ms O'Connor
Dr Woodruff

Motion agreed to.

FOREST PRACTICES AMENDMENT (VALIDATION) BILL 2022 (No. 13)

Second Reading

[12.53 p.m.]

Mr BARNETT (Lyons - Minister for Resources) - Mr Speaker, I move -

That the bill be read the second time.

The forestry, wood and wood products sector is worth \$1.2 billion to the Tasmanian economy. Our sector supports 5700 direct and indirect Tasmanian jobs, many in regional and rural areas of the state. Wood is good, especially today. I congratulate the member for Bass for his special day. Wood is sustainable. It is the ultimate renewable.

As the Government announced last month, the Forest Practices Amendment (Validation) Bill is being introduced to provide certainty to this critical industry. The bill seeks to resolve what can be described as a highly technical administrative matter. Let me be clear, this matter which parliament has been asked to turn their minds to in considering this bill, relates to the construction and form of instruments of delegation, not safety or the appropriateness of forestry operations undertaken on ground.

Before turning to the specific details of the bill, I would like to highlight some of the key elements of Tasmania's world-class forest practices system. The Forest Practices Act 1985 provides the legislative framework for what is an intricate system with many interrelated elements. Importantly, the act establishes the Forest Practices Authority, the FPA, as the independent body responsible for administering the system.

The FPA is governed by a board of directors who have been appointed owing to their expertise and experience across a range of subject areas including environmental, natural resource and sustainable forest management. The board is responsible for carrying out a range of powers and functions under the act. Under section 43 the FPA, through the board, is able to delegate any of its functions or powers to another person. This power of delegation has existed in the act since its commencement in May 1985. The board has historically and routinely used section 43 to empower Forest Practices Officers (FPOs) who are appointed and warranted under section 38 and 39 respectively to, amongst other responsibilities, certify Forest Practice Plans (FPPs).

FPOs are an integral part of Tasmania's Forest Practice System. FPOs receive comprehensive training in applying the act and in supporting elements such as the Forest Practices Regulations and the Forest Practices Code.

I am advised that of just over 160 Forest Practices Officers currently appointed under the act, nearly 100 have a delegation from the FPA to consider applications to certify FPPs. The appropriate use of delegated authority has been and will continue to be an important part of our coregulatory Forest Practices system. In fact, the delegated and centralised approvals for Forest Practices Plans is a key objective of the system as provided for in schedule 7 of the act.

A delegated and decentralised approvals process is therefore essential to the system's efficiency. The effectiveness of the system is maintained through effective monitoring and enforcement by the FPA. Annual audits conducted by the FPA and reported to parliament in annual reports clearly show very high levels of compliance every year. The Forest Practices System works.

This brings me to the reason why the current bill has been introduced. Very recently I was made aware of the potential issue with the particular use of a small subset of words included within a number of instruments of delegation issued by the FPA. I have been advised that similar wording has been used in a number of instruments of delegation dating back to 1987. I understand that the phrasing used within these instruments of delegation dating back over 35 years may be problematic.

This is because words used could be interpreted as creating a fettering of powers. Let me be clear, the current FPA board has advised that it in no way intends, or has ever intended, to fetter the exercise of a delegatee's powers. What the FPA board has done and should continue to do is appropriately manage any risks associated with the delegation of its powers. In this context, making a delegatee subject to directions issued by the Chief Forest Practices Officer is a sound risk management tool.

In this regard it should be noted that section 39 of the act already provides the Chief Forest Practices Officer with the power to issue directions. This directions power is of particular importance in the context of the Forest Practices System. Where an FPO can be employed by an external employer involved in the industry, making FPOs subject to the

direction of the Chief Forest Practices Officer ensures that high standards for FPOs are maintained.

As provided for in the act, the Chief Forest Practices Officer, currently Dr Peter Volker, is responsible for overseeing the day-to-day administration of Forest Practices. Dr Volker has over 40 years in the forest industry and in accordance with the act was appointed owing to his extensive expertise in forestry, forestry operations, knowledge of sustainable forest management and management skills.

In addition to seeking to validate past instruments of delegation this bill seeks to make some minor and targeted amendments to the act to clarify the scope of the Chief Forest Practices Officer's power to issue directions.

The proposed amendments make it clear that a direction may relate to policy or other matters but cannot require the making of a particular decision; that is, a direction cannot be won that seeks to fetter a delegatee's powers. As the Minister for Resources, I have chosen to act quickly on this matter. At this stage there has been no ruling as to the validity of any delegations. I am acting with an abundance of caution and in doing so I am seeking to remove doubt.

Sitting suspended from 1 p.m. to 2.30 p.m.

FOREST PRACTICES AMENDMENT (VALIDATION) BILL 2022 (No. 13)

Second Reading

Resumed from above.

[2.30 p.m.]

Mr BARNETT (Lyons - Minister for Resources) - Mr Speaker, I will continue my second reading speech.

I said that I am acting out of an abundance of caution and in doing so, I am seeking to remove doubt. I am seeking to provide certainty to an industry that provides critical timber products in the Australian housing and construction sector.

We as a parliament have an opportunity to act swiftly on this matter and remove any doubt as to the validity of instruments of delegation. Let me be clear, the parliament is not being asked to validate decisions. It is merely being asked to validate instruments of delegation to ensure that there is no question to answer as to their validity purely based on their construction.

Mr Speaker, this is an important bill which will provide much-needed certainty to industry. Both the independent Forest Practices Authority and forestry industry stakeholders are supportive of the bill.

In conclusion, I would like to thank the Office of Parliamentary Counsel for its work in urgently delivering this bill to the parliament and I commend the bill to the House.

[2.31 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Speaker, I will be providing the position from the Labor Party in the absence of the shadow minister for resources, Dr Shane Broad, who is unable to be here, as previously stated, because he has COVID-19.

I express at the outset how interesting it is that the first order of business of the new Rockcliff-Ferguson Government is to rush through a forestry bill. I would have expected coming into this place today to hear from the new Premier of Tasmania a speech outlining his vision, his agenda for this state, talking about the most serious and pressing issues confronting Tasmanian households such as the cost of living, rising housing costs, access to healthcare and what his plan is for Tasmania. Instead, we are here debating a bill about forestry, which is an interesting start for the new Premier and the Rockcliff-Ferguson Government.

The Labor Party will be supporting this bill and I will outline why, but as I do so I will also be making the point that the way this has been handled by the minister, Guy Barnett, has been incredibly poor, not just in this place today but in the way he has handled it through public statements he has made in the media.

Just touching on the way it has been handled today, it is true that the Labor Party was provided with an advance copy of a draft bill over the course of the weekend, provided to the shadow minister for resources. I was disappointed to learn that other members of this House have been treated differently. We are all democratically elected to this place to provide service to the people of Tasmania as a parliament and I was quite surprised to learn today that some members of this House had not been provided with the bill until after 12 o'clock today. That is a pretty poor start from the Rockcliff-Ferguson Government. It does not tick the box of transparency. It does not tick the box of consultation. It does not tick the box of treating everybody equally and fairly in this House who have been elected by their communities to help make decisions on behalf of the community.

It has been pretty badly handled by the Government. I do not think it is right that members in this place are treated differently by the Government and I think that the new Premier should reflect on that, particularly considering the make-up of this place.

I also reflect on the fact that because we have to deal with this issue today and it has been brought on as an urgent bill, this will take up most of the rest of if not all of today, I imagine, which means we will not be able to hear from the new Premier about what his plan is for Tasmania or any other issue that is of pressing concern to the Tasmanian community today.

There was no question time today. Why? Because the Government decided to prorogue the parliament. Despite the fact that the Government had an assurance from us that they could come into this place with the option of a pair with the commitment that we would not move a no-confidence motion in them, they still decided to prorogue parliament and that has meant there have been delays in progressing this validation bill and other matters that are important to the Tasmanian community, through this parliament.

I will reflect on a couple of dates here. On 4 April, the former Premier Peter Gutwein resigned. On 6 April, the Minister for Resources, Guy Barnett, announced that this validation bill would be necessary. Then, on 8 April, when Peter Gutwein formally resigned to the Governor, I understand parliament was prorogued.

There was an opportunity within that window of time, if the Government thought this was as urgent as they claim it to be, for them to say, 'Actually we do need to get back into parliament next week, as scheduled, to deal with this matter and other matters, to provide the certainty to the industry that we claim we can offer', but they did not do that.

Instead, they prorogued the parliament and left the industry in a pretty precarious situation over the course of the last few weeks, many of whom feel quite uncertain about what it means for them. It is true, it is not only those who are logging public tenured land but it is also private tenured land, and that is important to note. It is also plantation forestry and native forestry.

We are talking about the entire forest industry that the Government was happy to put on ice for a couple of weeks because it could not manage its numbers of chaos in its own ranks to resume parliament when it was actually scheduled to sit. They are happy to put at risk the forestry industry because they cannot manage their own political turmoil. They are happy to put at risk the forestry industry to allow that uncertainty to continue because they are so dysfunctional and were worried about how they would manage themselves in this House, despite the assurances that were provided by us, because we knew the Tasmanian community who elected us expected us to get back to work. Instead, the new Rockliff-Ferguson Government, along with their colleagues, cancelled parliament and here we are today and the first order of business from the new Rockliff-Ferguson Government is a forestry bill that is being rushed through.

I am not sure that is the type of legacy the new Premier, Jeremy Rockliff, wants to have established. I would have thought not. It is disappointing too that he is not in this Chamber. This is the first piece of legislation that is going through this place when he is the new Premier of the state and he is not even here for it. You would think that if he cared so much about this being the first order of priority for his Government he would be in the Chamber for it, but he is not even here for it. What could be more important than this urgent piece of legislation for the new Premier than to be present for the debate on such a matter? Who would know?

I reflect on the fact that we are debating this bill because it has been brought on as an urgent bill, when there are a number of other urgent things we could be debating today too. There is a commission of inquiry that has commenced public hearings today. I think it is urgent for this parliament to express again its support for the work of the commission of inquiry, its support for those who are witnesses and its support for the commissioners, and I would expect that every member of this parliament would agree. That would be something we could all agree on today is an urgent matter, given the fact that there will be so many across our community who will be traumatised and further impacted and triggered by the public hearings that have commenced this week. For us to show them support in this House would have been a very strong statement from the new Premier on the first day of business in this place, but that did not happen.

It would have been a worthy thing for the new Premier to bring on an urgency motion to talk about the rising costs of living and for us in this place to turn our minds to the impacts being felt by households right across this state. The first order of business for new Premier Jeremy Rockliff should have been about something that is hitting the hip pocket of nearly every single Tasmanian, to talk about the rising costs of housing, the lack of access to healthcare, the real pressures facing our ambulance services.

Those would have been worthy things for us to debate on the first day back of parliament and the first session of parliament for the new Premier, Jeremy Rockliff. Those were the things I thought he would have spoken about today. I honestly expected that he would have given a ministerial statement or some such to this House today to outline his agenda for the state to tell Tasmanians what kind of Premier he is going to be after the former premier, Peter Gutwein, quit less than one year into being re-elected.

The significant amount of change that has occurred since this Government was elected just over 12 months ago has been mind-boggling - the chaos, the instability, a third of the Cabinet quitting in this year alone, including the premier. The opportunity today for the new premier and the new leadership team of Jeremy Rockliff and Michael Ferguson to outline their agenda for our state - they are not even in the Chamber. They are not even here to debate the first bill that has been brought in under their Government. I find it quite extraordinary.

There is no doubt it has been a pretty messy start to the year for the Liberal Government. They are so divided that they openly campaigned for each other's jobs just a few short weeks ago. They are so divided that we can see the tension. It is palpable between the different members on the front bench who were jockeying for positions that they were not successful in getting, again.

It is not a strong, stable government; it is a weak and divided government and it is letting Tasmanians down. They are not talking about the things that Tasmanians care the most about or need their Government to be addressing. Cost of living would be top of that list. They are not delivering on the commitments that they took to the last election or delivering the infrastructure projects that they promised. They are not improving access to the services that Tasmanians need.

I reflect on the comments that have been made by the minister as he gave his second reading speech and I want to ask the question and maybe the minister can answer it when he is providing his summing up. Who wrote that speech? Why in a second reading speech, which is a legal document, would you include the words 'wood is good'? To be honest I think their industry cannot be bothered listening to your hollow rhetoric very much longer.

The vacuous statements that are made by this minister, the hollow rhetoric; the 'wood is good' line is done to death. The problem for your Government is you do not deliver. You have not delivered on the legislated sawlog contracts. You have not delivered certainty to the industry in a time when they needed it because you prorogued the parliament, despite there being a sitting week scheduled where you could have dealt with this validation bill sooner than now. Your failure to deliver is letting the industry down.

As for the accusations that were levelled against the Labor Party by the Minister for Resources through the media, I want to make it very clear that the Labor Party supports our timber industry. It supports our forest industry and the accusations that were levelled by the Minister for Resources through the media were atrocious.

I will go back to the time line. On 4 April, the former premier, Peter Gutwein, resigned. On 6 April, the Minister for Resources, Guy Barnett, indicated there was a problem that would need to be fixed with a validation bill. On 7 April, Dr Shane Broad issued a press release stating that:

The Liberal Government's decision to cancel State Parliament until next month has left forest industry in limbo for at least a month.

A statement of fact. He goes on to say:

A highly technical interpretation of delegations made under the Forest Practices Act has thrown the legality of logging in the state under a cloud and resulted in charges against anti-forestry protesters being dropped.

It is all very well for the minister, Guy Barnett, to say 'retrospective legislation will be drafted urgently to fix the problem when state parliament resumes'. The chaos within this Government has led to the cancellation of the parliament, the next week's sitting of the House of Assembly, meaning that parliament will not sit again until 3 May 2022. And here we are.

This is an urgent problem. The Labor Party acknowledged that at the time, as soon as it was brought to our attention. Dr Broad said this is an urgent problem that needs to be fixed to give certainty to the industry. Putting it off for almost another month is not dealing with it urgently. Instead the Liberals have left the industry open to more uncertainty and a month's worth of pot shots from the Greens and the Bob Brown Foundation.

Given the parliament has only sat for nine days this year, the cancellation of next week's sitting is completely unnecessary and has brought the working of government to a grinding halt. Rather than fighting among themselves, the Liberals need to get their act together and get on with the job of governing for Tasmania.

That is what Dr Broad said on 7 April, stating very clearly that not only was he frustrated at the lack of action by this Government to fix a problem they had identified and said needed to be dealt with urgently, but also making it very clear that it needed to be fixed to give certainty to the industry, which has our support.

Ms O'Connor - Do not pretend there is any difference between the two of you.

Ms WHITE - I will come to you in a minute, Ms O'Connor.

Lo and behold, what did we see? What did we see from the Minister for Resources? He did not think, right, the Labor Party are on board, they want us to act urgently, the industry needs certainty. Excellent, we will deliver for them. No, he thought, I will play politics. Do you know what he said? He said:

It is disappointing for Tasmanian forestry workers that Labor is again siding with the Greens, valuing cheap political point scoring above jobs.

I do not know where you drew such information or conclusions from, Mr Barnett, but you were wrong. He goes on to say:

The last thing industry and Tasmanian workers need is Labor playing political games with their jobs. Labor should step away from the Greens and back Tasmanian workers.

Mr Speaker, we always back Tasmanian workers. We back those workers because we know how hard they work. We understand that what this bill seeks to do is to validate the delegations process. We can support that. Of course we will. We know that those workers, whether they are at Timberlink, Norske Skog, McKay Timber or at any number of other operations across the state, deserve to be able to continue going to work and to know that they have got the Labor Party's full support.

I find it remarkable today, not only the way the Liberal Party have played politics with this and tried to cover their own incompetence, their own instability and the fact they broke parliament and could not deal with this urgently like they said they needed to, that they decided to attack the Labor Party to cover themselves - failed - but also, today, when the motion was brought to the House for us to deal with this bill urgently, that the Greens and the Green independent Kristie Johnston decided that they would not vote in support of us being able to have this debate, to be able to debate the bill that is now currently before the House. If the Greens believed their own argument, that all forestry has been illegal since 1985, by not even supporting the first reading they were potentially willing to destroy all forest operations in Tasmania.

Ms O'Connor - No. You have not read the bill.

Ms WHITE - We have read the bill. I have also been briefed. Have you been briefed?

Ms O'Connor - I do not want briefings from his department. We talk to lawyers who specialise in this field.

Mr SPEAKER - Order.

Ms WHITE - I have been briefed because I have decided that I will access information that is available to me through the Government, through industry and also through the reading that I have done back to 1985, looking at the original act and the amendments that occurred since that time, with the assistance of Dr Broad. I feel confident that this amendment is necessary based on the advice that has been provided through that.

The point still stands that if you believe Ms O'Connor and the Greens, believe your own argument that all forestry has been illegal since 1985, you are willing to shut down the entire forest industry, not just the native forest industry but the plantation industry, public and private. All those jobs at McKay Timber, all those jobs at Timberlink, all those jobs at Norske -

Dr Woodruff - Rubbish.

Ms WHITE - Rubbish?

Dr Woodruff - Total rubbish.

Ms WHITE - So, you do not believe that it is all illegal since 1985?

Dr Woodruff - What you are saying is total rubbish.

Ms WHITE - It has to be one way or the other. You cannot say on the one hand it is and on the other hand it is not.

Ms O'Connor - You say there are many more urgent priorities to debate but this is the most urgent for you now. Double standards.

Mr SPEAKER - If the Leader of the Opposition could put her comments through the Chair and try not to invoke an interjection from the Leader of the Greens, that would be marvellous, thank you.

Ms WHITE - Thank you, Mr Speaker. I will take that interjection, because the point we were making is that parliament should never have been prorogued. We could have dealt with this last month. That would have been appropriate at the time because it is important that we clear this up. If I were the new premier of the state, as Jeremy Rockliff is, then I probably would not have wanted to speak about this today. I would have wanted to be laying out my agenda for the state. He is not in here doing that. Instead we are debating a forestry bill. He is not even in the Chamber. He is probably ashamed that he has not been able to get up and articulate his vision for Tasmania today, and instead has had to fix a mess that has been in existence for some time - I acknowledge that, Mr Speaker. Instead of being able to talk about what he is going to do for Tasmanians, we are debating this.

I would like to also point out - and you will not be surprised to hear this, Ms O'Connor, as I have been in conversation with our esteemed resources shadow minister, Dr Broad - that it is a massive overreach by the Greens on this matter. Not only would all those industries I have spoken about be severely devastated, timber exports would stop, all those jobs would be lost, all housing construction would stop. Where do you think the wood comes from that builds houses?

Ms O'Connor - You want to talk about overreach? That is garbage.

Ms WHITE - It is important that people understand what you are talking about, because you cannot say on the one hand that it has all been illegal, and therefore all logging has to stop. This would cover private, public, native, as well as plantation.

Dr Woodruff interjected, saying that is rubbish. What is it? Do you think it is illegal or not? If you believe your own arguments, that you are willing to hold all milling of radiata pine for construction timber, what do the Greens think this would do for the housing crisis in Tasmania? Not only here, but the mainland, where a huge pine mill like Timberlink in Bell Bay is forced to stop.

Dr Woodruff - It is hard to make any sense of what the Leader of the Opposition is saying? She is going around in circles with an internally inconsistent argument.

Ms WHITE - Norske Skog is the only paper production facility in the Asia-Pacific region. Where do you think the paper is going to come from? I believe their behaviour will be found to be reckless. They will be exposed as willing to destroy our state's economy to prove a political point and to protect the Bob Brown Foundation. That is what is happening right now. The independent Green member for Clark, Kristie Johnston, also needs to clarify if she is willing to stand with the Greens on this. McKay Timber, in her electorate, would be very interested to understand her position on this matter, as would a number of employees who would be based in her electorate and working in some of those other operations I have outlined.

This is not just a muck around here, this is serious. We need to make sure we can provide certainty for the industry. It is about making sure there is validation for the process for the delegations. It is validating the process for the delegations. It is not doing anything other than that. That is an important point that has been lost on some people.

Ms O'Connor - Yes, it is, it is retrospectively validating every forest practice plan since 1985.

Mr SPEAKER - Order, the Leader of the Opposition has the call. No one else should be making a comment.

Ms WHITE - Thank you, Mr Speaker. I will wind up, because I am sure other members want to speak on this. I expect this debate will go on for quite some time. I remind the Government that if it has important stuff to debate, such as this, you need to do a better job of consulting all members of the parliament, so they have the information they need to be informed about the position they need to take on bills that come before the House. It is poor form. It is a sloppy start from the new Leader of the House, Mr Street, or from Mr Barnett. I am not sure who to blame, but it is a pretty sloppy start when you are treating people like that. We are all elected here equally to make decisions on behalf of our community.

It is disappointing to see the Government lurching from crisis to crisis like this when the new Premier, Jeremy Rockliff, had the opportunity today to come into this House and tell Tasmanians what kind of Premier he is going to be. He has not done that. There has not even been a ministerial statement. I am surprised because there are many Tasmanians who are wondering why Peter Gutwein left and what that means for this new Liberal Government. It is certainly not the Government they voted for 12 months ago. It is not the Premier they chose 12 months ago. It is not a cabinet they expected to see sitting in the parliament just this year.

The changes just this year have been mind-bogglingly fast and very destabilising for Tasmanians. There are many in the community as well as key stakeholders who are reluctant to engage with the Government because they are not sure who their minister will be next. The Liberal Government's musical chairs in this first half of the year has caused quite a lot of unease for Tasmanians. Talk about creating uncertainty, the Liberal Government has it down to a fine art form. Not just in forestry, but across nearly every portfolio you can point to. People are reluctant to even brief incoming ministers because they are not sure they are still going to be the same minister next week.

That is the stable Government people voted for, except it is not. It is not at all. It is not the Government they voted for, it is not the Premier they voted for; it is a sham.

[2.57 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, that was a constructive contribution from Ms White. Unbelievable. I presume then, given your closing comments, that Labor will support our move to restore the numbers in the House of Assembly so that the Tasmanian people can have some consistency of leadership and some confidence that we do have stability in Government.

Not that long ago whaling was legal and whaling happened in the River Derwent. Sealing was also legal. It was legal to go down to seal colonies and club seals to death to harvest their oils. These legal activities led to crashing populations of our wild animals. Native forest

logging is currently legal, but that does not make it right. Scientists tell us in a time of climate and biodiversity crisis that it is not right. It is immoral, it is unscientific.

We got more from Ms White in a similar vein to what we got from Mr Winter this morning on the debate over the procedural matters. All politics, all the time. For Ms White to pretend in this place that there is any substantive difference at all on this area of policy from the Government is just dishonest. There is no difference. The only difference is about the politics. There is no difference in their approach to accelerating native forest logging. They both support the export from this island of around one million tonnes of native forest woodchips every year; chips that come out of forests that you do not find anywhere else on the planet. It is an industry which is accelerating global heating. That is what the scientists tell us. However, this debate on this issue so often, except for the Greens, devolves into unscientific, political rants and mudslinging.

Mr Speaker, did you know over the past week, even though summer has not yet reached the Indian subcontinent, people in India are experiencing daily temperatures of 50-plus degrees Celsius? South Africa has just been smashed by its worst storms and flooding in its history.

In northern New South Wales, in the Northern Rivers, twice within the space of a month the people of Lismore endured a deluge that was biblical in its proportions, and they were abandoned by the Morrison Liberal-National coalition government. There are still people who endured those climate-induced floods who are sleeping in tents, or on couches at friends' places.

Climate change, global heating, is happening right now and people are suffering and dying. Here on this island we have a carbon bank of global significance and here in Tasmania, because of the Greens in government, we are now carbon negative. We are a net carbon sink, and Dr Woodruff will talk about this more shortly, but the reason we are a net carbon sink is because of the work of conservationists over decades, the blood, sweat and tears of people who sat down to stitch together a Tasmanian forest agreement and every member of the then Labor Party in government and the Greens who voted for the Tasmanian Forest Agreement.

Our vote changed the greenhouse profile of this island. I regard that vote on the Tasmanian Forest Agreement as the most important of my political life because it had a tangible, positive effect on the climate and made sure we are sequestering and keeping carbon safe. We have debates in here about native forest logging where you get this chest-beating from either side who want to tell a mendicant industry that they are their best friends in politics.

Let us be clear about this: the native forest logging industry would not survive without massive public subsidies, the true extent of which are concealed by both parties in government, and public subsidies that - despite the promises of the Liberals in government, from Will Hodgman to Peter Gutwein, and who knows what we will get from Mr Rockliff - continue to this day. Logging these forests is a crime against the climate. It is a bit like what is happening with COVID-19. We are watching people sleep-walk into catastrophe. We are watching people pretend the pandemic is over. We are watching people in government, in positions of influence, pretend the climate is not a problem and business as usual is just fine.

There is a reason that young people, in increasing numbers, are in mental health crisis and seeking treatment for anxiety and depression. If they watched and heard Mr Barnett and Ms White in here, they would be even more depressed because the inertia in taking on the challenges that are so obvious and so necessary exists and persists to this day. When you get

up in here and you cheer on the native forest logging industry, you are giving young people the middle finger and you are not recognising that Tasmania's single most important contribution to a safe climate is its forests.

Now to minister Barnett's second reading speech. All I can say is, what a load of crock. It is dishonest, it is political, and it skirts around whatever the back story is to this amendment bill. The same crap and pardon me, Mr Speaker, but that is what it is about 'wood is good'. You cannot have ministers run portfolios by cliché. At the very least what you should have is ministers who comply with the law, not break the law.

What do we have in minister Barnett? A minister who unlawfully approved the lease over Helilog Road in takayna for Chinese state-owned MMG. Because of that unlawful lease approval, which he was not honest about, dozens of people who were arrested defending that extraordinary place had their charges dropped. It was an unlawful lease approval. Now we have a minister who apparently has been overseeing an unlawful act and even though that has been happening, has allowed logging to continue. Why can this minister not be truthful about the genesis of this legislation?

My question to the minister is, at what point did he become aware, and how, that there were provisions in the Forest Practices Act 1985 that potentially facilitated the unlawful certification of forest practices plans? Why can this minister not be straight with us? What makes it so hard for him to be frank to members in this place? This second reading speech, if you can call it that, is littered with dishonesty and cliché and it still does not tell us what that small subset of words is that led to this amendment bill.

Both minister Barnett and Ms White know the future of the timber industry is in plantations. The million tonnes of native forest woodchip that we export every year goes straight off to China. They do not give a toss about Forest Stewardship Council certification which this state and Forestry Tasmania, under this minister, cannot achieve. They have twice failed to achieve Forest Stewardship Council certification. Both minister Barnett and Ms White support the felling of our incredible forests, their chipping and their shipping off to China. Shame on them, Mr Speaker. Will either of these two of my colleagues be at the school strike for climate coming up on 13 May? Will they have the audacity to stand there before young people when they are part of the problem and pretend that they want to be part of the solution?

We have been told the first untruth in the second reading speech, that the forestry, wood and wood products sector is worth \$1.2 billion to the Tasmanian economy. Over what time period and how much is it worth when you minus the subsidies? Who can say? We would not know, because this minister cannot lie straight in bed.

The second untruth in here is coagulating, pretending the native forest sector and the plantation sector are the same thing. What an insult to responsible players like Forico to lump them in with a mendicant industry. Where is the proof that the industry provides employment to 5700 people? I have never seen it. So much double-speak. A responsible government that was not all about the politics, that listened to the science, would be investing in a just transition for native forest workers. That is happening in other parts of the world. In New Zealand, for example, the Ardern Government is investing resources in helping communities transition out of the old industries into the new. I know that because I am the very proud mother of a young man who is working as a Just Transition policy specialist in the New Zealand Government. It is inspiring to hear about that Government's sincere commitment to modernising industry and

making a positive contribution to the climate. It is a commitment that is backed by money, by investment, in those communities, not lip service which is what we get here.

Ms White talked earlier about McKay Timber. Yes, come down the Midlands, past Brighton, look left and see the evidence of a climate crime; the size of those logs is extraordinary; the carbon that is sitting there in the yard at McKay Timber. It is subsidised climate crimes. We will not have a part of it.

Of course, the primary dishonesty in this second reading speech is the fact that it skirts around what the issue is. We have had a minister who was prepared to oversee illegal arrests in the forests at the North East Tiers and Wentworth Hills and, of course, in takayna. On behalf of the Greens, I want to most sincerely thank our forest defenders; people who go into these places with great courage. They know what is at stake and they put their lives on the line for love of this place and care for the future. Stale, old, troglodyte, unscientific governments will learn the hard way. You cannot arrest your way out of a climate and biodiversity crisis.

We have seen tabled in here today the latest attempt to put a shine on a cow pat with the police offences legislation which is anti-protest laws by another name because we still have sitting on the statutes the unconstitutional Workplace (Protection from Protesters) Act 2014.

What will Labor do? We know that Mr Barnett thinks you can arrest your way out of a climate and biodiversity crisis. We do not know what the new Premier thinks but this is the Premier who let this bill dominate the first day back. What will Labor do about this unchecked assault on the right to peaceful protest?

I am warning you both that if you think young people are going to see this kind of legislation and it will prevent them from stepping up, you are more deluded than I thought you were. Young people are at the point where they do not think they have anything to lose. That is why you see incredibly brave young women hanging from the loader over the trucks full of coal that are being exported out of this country, trucks full of coal which are killing our future.

I struggle to understand why every member of this place is not alarmed about the state of the climate and determined to be part of the solution, so each of us can look in the face of young people and say we did our best and we did our bit. We made sure that Tasmania was a positive contributor to a safe climate.

This is not just about our own children; it is about every child alive today - children who have not yet been born, who are being born onto a baking planet full of idiot adults who are not taking it seriously enough. We are sleepwalking into a catastrophe. You have governments that are more interested in corporate profits, donations and politics than they are about humanity's future and that of all life on earth.

Our precious forests have been illegally logged under Guy Barnett's watch - more destruction, more arrests and more confusion. This is the minister for illegality, issuing incorrect permits in takayna, illegal forest practices plans in Derby, the Wentworth Hills and the Eastern Tiers and all over Tasmania. Confusion reigns under this minister for illegal and improper activity.

Wentworth Hills is a high-altitude *Eucalyptus delegatensis* and sub-alpine rainforest, slow growing but fast to form. There is destruction of masked owl habitat, wedge-tailed eagle

habitat, home to Tasmanian devils and spotted-tail quolls, all in our forests. We have iconic and endangered Tasmanian species being rendered homeless by unlawful logging. All the while, dozens of brave forest defenders have had their lives up-ended following arrests that, as it turns out, were not lawfully made. They have been made criminals because of their efforts to stop criminal logging.

In the Eastern Tiers, Bob Brown and a number of other people on that day when Senator Whish-Wilson and I were up there, were arrested for attempting to save the habitat of the endangered swift parrot, another icon of our Tasmanian wild places. It is the fastest parrot in the world but not fast enough to avoid Forestry Tasmania's illegal logging. The swift parrot needs slow growing old trees to nest, and forage trees that are being immorally and unlawfully logged as a result of this Government's approach. Krushka Forests up in the mountain bike mecca of Derby is the subject of urgent legal action by Blue Derby Wild. These are the last remnants of glacial refugia forests, forests that survived Tasmania's last period of glaciation over 10 000 years ago, forests that under Mr Barnett's watch, cannot be logged fast enough. Now we understand they have been unlawfully logged, potentially for decades.

Meanwhile we have Liberal MP and Chair of Committees, John Tucker, proposing to clear 1800 hectares of native forest on his own land at Ansons Bay to graze cattle. That is a double climate whammy: you log the forest and you put cattle on. Just like what is happening under Bolsonaro in the Amazon. They could not give two hoots for nature or the climate. This includes nearly 500 hectares of critically endangered forests. This action is the subject of legal action by the Tasmanian Conservation Trust, questioning the validity of the forest practices plan certified under the act. I have an amendment, which I flag now, in relation to Mr Tucker's participation. With so much uncertainty over the legal status of logging in Tasmania amplified by the minister's murky attempts to clean up dirty law, all native forest logging underway must stop. Mr Tucker, who has a direct financial interest in a logging operation, cannot possibly vote on a bill that will potentially pave the way for him to destroy endangered forests.

The bill we are being asked to support today, on very short notice, validates all delegations made, or purportedly made, by the Forest Practices Authority prior to the commencement of this bill. One of the reasons this is highly problematic is that this Government has been extremely coy with details on what the actual problems are.

Mr Barnett repeatedly makes claims of a 'highly technical administrative matter in respect of delegations'. That sounds just like the rubbish he spat out after he was busted unlawfully approving a lease for a Chinese state-owned mining company. Only in his second reading speech do we get any further details outlining that the issue is with 'the particular use of a small subset of words'. These words have not been provided to this place, yet the Government asks for support for this retrospective legislation.

Typically, retrospective legislation on administrative matters has been used to correct issues that have resulted from unforeseen conflicts in legislation or gaps that were not apparent to the parliament. A recent example is the suite of miscellaneous amendment bills we have seen to address issues discovered in relation to certain provisions in various acts rendering section 21(3) of the Acts Interpretation Act 1939 redundant in respect of those acts. These were clearly unforeseen problems. Is that what we have here? The minister's second reading contribution and past media releases on this matter would suggest this is the case. However, the contents of the bill seem to support these claims.

The minister claims that the words used in the instrument of delegation could be interpreted as fettering powers, but assures us that this interpretation is not intended. Frankly, I reckon it was. Anyway, if this is the case, why does the act need changing, rather than just adjustment of the words in the instrument, as well as a validating amendment?

One of the things this amendment bill seems to do is extend the powers of direction of a chief forest practices officer to apply to not only delegated functions and powers but also functions and powers conferred directly under the act. If the words in the instrument of delegation that are causing issues are indeed not intended to fetter powers, why is it necessary to expand the authority of the chief forest practices officer to fetter powers? This is an inherent contradiction that seems to suggest the Government is not being honest or entirely forthcoming - what a surprise.

Some other matters of concern are that this bill changes some language to make it clear that the chief forest practices officer cannot require a person to make a decision, and that a person can be required to seek advice, where the current language requires them to seek approval. This suggests that there may have been an overreach in powers where forest practices officers have been directed to make certain decisions and/or required to seek approval for their decisions. This does not sound like a mere technical quibble.

In respect of the retrospective validation, we have grave concerns. This validation does not limit itself to the specific issues we have at hand but in fact validates all delegations made since the act's inception in 1985. If we look at bills that were introduced in respect of the aforementioned section 21(3) of the Acts Interpretation Act, this was not the case. For example, the validation provisions of the Justices (Validation) Bill 2021 read:

A summons or warrant that was, on a day (the relevant day) that occurred before the commencement day, purportedly issued under section 41 of the Justices Act 1959 to a person is valid, and is to be taken to have always been as valid, as the summons or warrant would have been if, immediately before the relevant day, the amendments to that section made by this Act had been in effect.

These amendments only validate decisions that were made to the extent that if the amendment bill had been enforced, the provisions would have been valid. We see no such qualifications here, simply a blanket validation of 100 per cent of all past delegations, and this is while there are matters before the court relating to forest practices plans regardless of what issues that may have caused them to be invalid, and regardless of whether they conform with the act as amended. This is highly suspect. Retrospective provisions and legislation need to be carefully constructed and need to be well argued. This Government has failed on both fronts. They will not tell us exactly what the problem is and they have not constructed their bill to specifically address these problems.

Mr Speaker, my amendment to the second reading is to leave out everything after the word 'That' and insert instead the following: 'the bill now be read a second time'; and, '(2) the House calls on the member for Lyons, John Tucker MP, to absent himself from any vote on the bill as has he has a conflict of interest.'

I have moved an amendment on the second reading to remove Mr Tucker from this vote because it cannot be argued that he does not have a material interest in the outcome of this vote.

Mr Tucker is in the court facing the Tasmanian Conservation Trust over a forest practices plan that approved the logging of 1800 hectares of biodiverse, carbon-rich, globally unique forest at Ansons Bay. The Tasmanian Conservation Trust is in court this week to save those forests and without the TCT's intervention this forest will be bulldozed and burnt to make way for cattle pasture. Permitted clearing for agriculture has gradually reduced to around 600 hectares per day per year over the last decade in Tasmania and the scale of this clearing is well against this modernising trend in Tasmania. The TCT calculates that burning the forest would release almost 690 000 tonnes of carbon dioxide. That is equivalent to 150 000 cars driven for a year -

Mr SPEAKER - Ms O'Connor, before you go any further, the issue is that the amendment you put forward is out of order in the sense that it is not dealing with the issues. Standing Order 170 deals with the issue of a member who has voted and the House wants to deal with that post the vote. Therefore, I have to deem your amendment out of order in that there are processes within the Standing Orders that deal with this once the member has voted.

Ms O'CONNOR - Okay, Mr Speaker, so the clock has just restarted for me. Does that mean that this is not an amendment I can speak to? There is no question in the Greens' minds that Mr Tucker should not vote on this bill because he has a direct material interest in its outcome.

Mr SPEAKER - With the amendment out of order the clock will just revert back to your original contribution time and your contribution on the second reading, so that is not lost.

Ms O'CONNOR - I encourage members of the Opposition to have a look at this because Mr Tucker told us this morning that he is going to exercise his right to vote and will be voting on legislation that retrospectively validates every forest practices plan authorised since 1985. He is now before the court -

Mr Barnett - That is not true.

Ms O'CONNOR - Yes, it is true. He is now before the court relating to a forest practices plan that was given over his property at Ansons Bay which, if it is logged, will lead to a massive climate crime. He is conflicted in this debate and should not be allowed to vote. It does not pass the pub test. He is not just part of a broad class of persons as defined under the Standing Orders. He is a very significant farmer and landowner on the north-east coast who has a forest practices plan which has been brought into question and which is now subject to legal action.

If this legislation passes, does that not mean that Mr Tucker's forest practices plan would no longer be invalid and could not be challenged? Would that not potentially change the outcome of the court case? Am I an idiot? That sounds to me *prima facie* like a direct conflict of interest on Mr Tucker's part. Shame on him, first of all for wanting to clear-fell that beautiful patch of forest, because he is only a custodian of it. Shame on him for contributing to an unsafe climate. Shame on him for thinking he does not have a conflict of interest in the outcome of this legislation.

[3.29 p.m.]

Mr ELLIS (Braddon) - Mr Speaker, it is a pleasure to speak on this bill. One of the things I find particularly galling about the attempts from the Greens to explain their bizarre and often contradictory positions in this place is that they do so in an attempt to claim that they

speak for young people. As we know, Ms O'Connor is coming to the end of her career and the clock is ticking on that. They seem to believe the 10 young people they have been able to con to go out to a bit of regrowth somewhere out near Rosebery and tell them that it is pristine rainforest that has never been touched. They fail to see the 5700 people who work directly in the forest industry in Tasmania. They fail to see all the young apprentices, all the chippies, all the furniture makers, the cabinet makers, the people who are involved with using the materials that come out of Tasmanian forests and that store carbon for generations.

This House is draped in the carbon stores of our forest that when harvested and put in place are preserved for generations. All the timber panelling around us is not floating around in the atmosphere killing people, like Ms O'Connor would have people believe. It is being stored. This is what it looks like. To be shedding tears about the timber that is at McKay Timber, do you want to know where it is going? It is going into places like this.

The alternative to that is that trees eventually die and they rot on the forest floor. What happens then is that they emit carbon. The really galling thing about this claim that they speak for young people is the failure to realise that the actions of those people who go into some of these forestry areas and put their lives at risk by chaining themselves to machinery, is that there is a young person on the other end of the boom. There is a young person in the cab that is driving that forestry equipment who does not want to go home and tell their girlfriend, who they are saving up with to buy a house, that they have accidentally killed two people at work today.

I have spoken to some of these people and the business operators who employ them. They tell of horrific stories of when those people were put at risk in ways that should have never happened because of the fantasies that are coming from the Greens.

They talk of just transition and the pride in which Ms O'Connor has for this Labor-Green fantasy. We know what a just transition looks like for these people. It was the Tasmanian Forest Agreement, which tried shut down the industry, kick people out of jobs and say it is just because the compensation offered to them after they destroyed their jobs is a little bit to help them get by.

Young people in Tasmania do not want welfare coming from the just transition of the Greens. They want a job. They want an opportunity. They want to save up to buy a house, perhaps one made of timber from our sustainably managed timber resources in Tasmania. This is what young people want. That is why young people support this industry. That is why I, as the youngest person in this place, probably half Ms O'Connor's age, supports the timber industry. It means jobs for people like me and people who live in my community.

We have also heard of a bizarre approach by Ms O'Connor to try to remove Mr Tucker from this debate because apparently he is not part of a general class of people. Experts in this place, the Clerk and others, say Mr Tucker is entitled to vote on this matter and it has been entirely appropriate. I hope Ms O'Connor will exclude herself from any debate about land tax and the ownership of rental properties. As we know she is a property investor and does potentially stand to gain from any changes in that matter.

There was some fanciful bizarre stuff in the last contribution that suggests a deeper problem that has come from that side of the House, from the Labor-Greens opposition. They are becoming increasingly unhinged on this important issue. We are here to debate a problem

that arose decades ago, before I was born. I was born in 1990 and this predates me by five years. But we are in here fixing it up. There have been Labor-Green governments who have overseen that, including one that Ms White was part of and did not do anything about. There have been governments before them as well. We are fixing it and giving certainty to the industry because we believe in it.

Our Government is the strongest supporter of our forestry sector. We are committed to building it for the future. That is why we have acted swiftly on this matter, to remove doubts and provide certainty for regional communities and jobs that rely on this industry. Tasmania's forest industry is well managed, one of the best in the world. It is environmentally sustainable, and it is regulated by the Forest Practices Authority. Despite claims from opponents of the industry who are solely focused on shutting it down, people like Labor Premier, Daniel Andrews, or Labor Premier, Mark McGowan, the Greens and the rest of the people who will put this sustainable industry at risk, it is perhaps the sustainable industry, because there is no other building material which is renewable, which captures carbon. Every opportunity we can to use timber in our industry and in our construction helps with the climate issue that Ms O'Connor seems so worried about. It is a landscape-scale solution to a landscape-scale problem.

It is no secret that the radical Bob Brown Foundation, their parliamentary allies and the Greens who sit opposite will take any opportunity in their ongoing attempts to shut down our sustainable native forestry sector.

In stark contrast, our side of the House makes no apologies for standing up for thousands of Tasmanians, particularly those young Tasmanians who want a future in the industry, the people who live in regional areas who work in our sustainable forestry sector. That is why we are taking the action we are today.

Ms White does not think that our forestry industry is of a magnitude of importance enough for us to talk about this today. I am very proud we are doing so because we want to give these people certainty. That means that we resolve this highly technical administrative matter relating to issuing a delegation. If that is not sexy or interesting enough, if that is not significant enough, we are going to move past that because we back this industry and we back these jobs.

The Liberal Government is providing the policy platform to drive growth in the forest industry and to create and support jobs in regional communities. We are talking about Tasmanian jobs and families that rely on them. Working forests create jobs. There are over 5700 direct and indirect jobs as a result of the forest industry in Tasmania. A 2018 study revealed that the total value of the forest industry, which Ms O'Connor for some reason disputes, including the flow-on effects was more than \$1.2 billion. She asked, 'What was the time frame? When did that occur?' It was 2015-16.

In response to the Government's strategic approach and support, we have seen an increase in confidence, investment, production, and exports. People are investing in their logging truck, they are investing in their forestry equipment, rather than the dark old days of 2012-13 where it seemed like every second-hand truck in Tasmania was a logging truck. That was the fault of the Labor-Greens government. That is why the Tasmanian people have rejected them time and again ever since.

The forest industry is responding well to multiple challenges that we have faced in recent times around the globe, including COVID-19, major trade issues, supply chain and domestic supply pressures.

Private forests now account for more than 70 per cent of Tasmania's wood production. We need to support them. We are working on further innovation and value-adding, with the Government providing the framework to support projects, offering new processing and management options for Tasmanian wood. I will talk about bioenergy in a second, but I want to pay tribute to the federal Liberal-National Government for its commitment of over \$200 million for the National Institute for Forest Products Innovation.

Mr Barnett was a huge supporter of this commitment. It means we can add value to the timber that is harvested on this island. The Greens complain that we are not getting value out of it, even though they want to shut it down. This is a huge investment which we can use to make the products of the future right here in Tasmania, because \$100 million of the \$200 million that is promised for the country will be based in Launceston. That is a huge win for our community. It means we will be at the cutting edge of forest research, just as we are at the cutting edge of harvesting and sustainability.

Even when it sounds like something the Greens would support, Senator Whish-Wilson said that as part of a Labor-Greens deal they will try to get a commitment out of Labor to shut down that \$200 million promise that would secure 5700 jobs here in Tasmania, give those young people a bright future knowing that they can produce the products of the future. We hear time and time again from the Greens at the federal level that what they want to do when they do a deal with the Labor Party to control Australia's government is to shut down the native forest sector. We have had two Labor governments that have done it in their states. We do not want to see that around the country. That is why Australia simply cannot afford a Labor-Greens government at that level.

I will go back to some of these bioenergy options. They are very important to our approach to driving growth in the forest industry and supporting jobs in regional communities. Most importantly, the Government has provided significant support to the industry with new initiatives, including a \$10 million on-island processing program over five years to support more on-island processing and value-adding; and a \$1.5 million over three years commitment to the Tasmanian Timber Promotion Board to provide and sell some of the world's best timber - the timber we produce here in Tasmania and market around the world, driving supply chain demand.

I know that the Greens seem to only understand tourism, even though they are now opposed to that as well. It is about selling the brand of Tasmania. It is about selling the quality of the timber that we get here, the sustainability of our processing and our harvesting, and the belief that we want to manage this resource, not just for this generation but for all the generations to come. That is the beauty of the forest industry. We harvest a forest, particularly a native one. It regrows and it provides that opportunity long into the future. It is a tribute, despite the fact that the Greens do not know it. They seem to think harvested forests, particularly regrowth forest, is some kind of wild area of stunning beauty. I agree. That is a tribute to the foresters who went in there a couple of decades before and harvested and provided jobs for their families.

We are working with Sustainable Timber Tasmania to secure long-term resources to supply to sawmills - an investment of over \$150 000 over four years to address skill shortages and train the forest industry leaders of tomorrow. That is a partnership with Arbre Forest Industries. I say to the young people who are thinking about what their career is going to be post-school that the forest industry is a fantastic opportunity. You get to work in the bush, you get to be at the cutting edge of innovative products, and you get to be part of the solution in terms of climate change. You will be storing the timber that you harvest for generations to come, just as it is in the Tasmanian Parliament and in the homes that we live in.

We have a \$300 000 diversity action plan project for increased gender and cultural diversity in the forest sector delivered by the Tasmanian Forest and Forest Products Network. Forestry is not just for boys; it is for all people. The opportunities, the great jobs, that can be provided should be promoted right across our community from people of all walks of life, whatever their sex or their background. We have an action plan to replace or convert Tasmanian government-owned boilers for non-renewable fuels to biofuels. In my electorate of Braddon, I am very proud of the work of people from Britton Timbers who have been able to take what is effectively a by-product of the high-quality sawlog that they harvest in Smithton and power some of the boilers around the town. That is contributing further to our carbon sequestration and our carbon emission reduction.

There are seven projects that have successfully received \$6 million in funding from the On-Island Processing Program which led to direct investment of over \$23 million from industry and created at least 30 direct and indirect positions. These new initiatives build on the wide range of existing measures currently underway in Tasmania, from research and development through to feasibility and project implementation that support the Tasmanian Government.

We also welcome the recent announcement by the Australian Government to invest \$86 million over five years to support the establishment of new plantations for our future wood supply. For those people watching this debate at home, it is important to remember that the Greens' position is not just about banning native forestry in Tasmania. Effectively, it would also ban plantations as well. When they set up this nonsense straw man argument that they think that plantations are the only sustainable wood production that you can have, know that they do not believe in either of them. That is effectively how the Greens operate: to shut down, to ban, to turn what is a sustainable industry into a what is effectively a ghost town. The Tasmanian Government also looks forward to engaging with the Australian Government on how Tasmania can benefit from this exciting announcement.

The Forest Practices Authority is robust, well managed and environmentally sustainable. Partly because it is managed by Forest Practices Authority, Tasmania's forestry sector operates in accordance with our world class Forest Practices System, which is given legislative force through the Forest Practices Act 1985. The act establishes the FPA as the independent body responsible for administering the system. The FPA is governed by a board of directors who have been appointed owing to their expertise and their experience across a range of subject areas whether it is environmental, natural resource management and sustainable forest management.

Our Forest Practices System is a co-regulatory system where appropriate. Confined self-regulation at the industry is complemented by independent monitoring and enforcement by the FPA. It is essential to both historical and ongoing forestry operations that the matter that we are dealing with today is done in a timely manner.

Our Forest Practices System, as I said, has been operating from five years before I was born - 1985. It applies equally to native forests and plantations on both public and private land. That is a heck of a lot of jobs. Our Government has chosen to act swiftly. We call on the Labor opposition to support us in supporting the industry in Tasmania.

[3.53 p.m.]

Mr WINTER (Franklin) - Mr Speaker, I could say it has been an interesting debate so far, but it has not been particularly interesting at all. We started off with the second reading speech from the minister. I could not believe the words 'wood is good' were included in a second reading speech to the parliament of Tasmania but that is how we started this debate.

The minister decided to insert the catchcry he likes to use in his media events and occasionally in question time into a second reading speech for the Forest Practices Amendment (Validation) Bill 2022, which he rightly says is very urgent. Yet the seriousness of the situation does not match the minister's approach to consultation with the crossbench or the content of his second reading speech.

I listened to and read the second reading speech. It is very clear what the validation bill does and does not do. As it rightly says, 'it relates to the construction and form of instruments of delegation and not the safety or appropriateness of forest operations undertaken on the ground'. That is important to understand. If you listen to, for example, the contribution of Mr Ellis, you might not be aware of that. Yet that is what it does. It is quite simple. We have already dealt with the urgency matter earlier today, so we will not go into that debate.

In Mr Ellis' contribution, he said words to the effect of 'the Liberal Government is the strongest supporter of the industry'. He said that this has to be dealt with in a timely manner, and he said we must act swiftly. Yet we could have dealt with this last month, if not for the Government proroguing parliament. We could have already dealt with this and given the industry the certainty that it desperately wants and desperately needs but for the Government's chaos - not the Greens, not the crossbench, not Labor but the Government's chaos. That has led to the situation we are now in where we are being asked to deal with something very quickly.

It has been pointed out by some members that they did not see the entire pack until this afternoon, yet they are being asked to properly scrutinise it and make a decision on it. I am in a comparatively better position having seen the bill earlier than that, which I am pleased about.

As I said, the bill simply validates activities that - let us be honest - every Tasmanian parliament has endorsed these forest practices in Tasmania since 1987. It has always been the intent of the parliament that these practices be lawful and continue. That is why it is important that this is clarified through the validation bill today.

When I hear contributions about this being critically important and the Liberal Government being the biggest supporter of industry, it must be said that the only reason this has not been dealt with already is because of the Tasmanian Liberal Government. Not because of the Greens, not because of the independent Greens, crossbench or Labor. It is because the Government prorogued the parliament and stopped us from dealing with any business for the past 40 days.

I listened to Ms O'Connor's contribution and it focused very heavily on climate change. She described some forestry practices as climate crimes. I want to point to the hypocrisy of that, given that the Greens are still yet to find a single wind farm in Tasmania that they actually support, given that climate change has been said to be -

Dr Woodruff - That's absolutely not true.

Mr WINTER - Which one?

Dr Woodruff - We have always supported wind farms in Tasmania.

Mr WINTER - Which one?

Dr Woodruff - Cattle Hill.

Mr WINTER - There we go. The Greens have found a wind farm they support - certainly not any of the current proposals. On the one hand the Greens say that climate change is such an enormous issue for the world, and they are right, it is an enormous issue, but on the other hand they are prepared to do anything they can to stop renewable energy projects in this state from going ahead. I assume they will continue to do that.

You cannot sit here and listen to that argument and not think to yourself, 'How on Earth can you be talking about what a climate crisis we are in yet you are not prepared to back sensible renewable energy projects in Tasmania?', and that have been happening over decades.

Dr Woodruff - Mr Winter, you are the party that supports coal and gas. Don't lecture us about climate change.

Mr WINTER - We have all seen the article by Dr Brown talking about the need for more coal and his opposition to hydro-electric many years ago. The Greens record on energy in Tasmania speaks for itself. I do not need to stand here and go through the history of Basslink, the history of opposing renewable energy, opposing hydro-electric projects. That is what the Greens stand for. When I hear claims about climate change being such a critical issue, it is hard not to reflect on the Greens' history on this matter for decades now.

Dr Woodruff - Why don't you reflect on the future of the children instead? You are playing politics, Mr Winter.

Mr SPEAKER - Order.

Mr WINTER - Going back to the claim that there is no stronger supporter of the forest industry than the Liberal Government, we also need to understand that this is the Government that has failed to deliver on its legislative requirement for 137 000 cubic metres of high-quality eucalyptus sawlogs and it missed that legislative target last financial year by some 22 000 cubic metres. When Mr Ellis stands up and says there is no bigger supporter, I do not know what he means. Actions speak louder than words. You can come in here and talk about wood being good, being the strongest supporter and legislate things, but unless you actually deliver it does not mean anything.

You can go through all the rhetoric you like, but the simple fact is that this Government has failed to deliver its own legislative target. We have not seen how they are going with that this current financial year, but we will find out soon enough. The simple fact is that you can legislate, you can run your arguments in here and use all the rhetoric you like about wood being good, but until the industry sees actual commitment, actual results, I do not know that they will believe it.

[3.54 p.m.]

Dr WOODRUFF (Franklin) - Mr Speaker, I will start my contribution by saying how very disappointed I am that this was the new Premier Rockliff's first bill of his parliament. Premier Rockliff is on the record for recognising the importance of climate change action, but he has made the focus of this week these two bills, because presumably we will have that noxious anti-protest legislation before us on Thursday; that is what seems likely given it was dumped in front of us today.

What we have are two bills, both of which are entirely in opposition to climate action. In a climate crisis we cannot continue to justify native forest logging by any measure. You cannot continue to expect that people will not peacefully stand up and do everything they can to prevent the unlawful activities of this Government, the criminal activities of logging carbon which has been standing for hundreds of years, centuries, continuing to store the gas which we are emitting into the atmosphere at ever greater levels. Globally, we are not doing what we have to be doing to reduce emissions. Emissions continue to increase despite making a commitment in 2015 to reducing them. It is at a critical level. That is why people will continue to do everything they can to defend our right to live in a safe climate.

We cannot look away from the devastation that has just happened in northern New South Wales and southern Queensland. We cannot forget the incineration of more than three billion native animals. I had to remind myself of that figure because I had written down three million native animals and I realised I had written the wrong thing. The scientists' estimation is more than three billion native animals, species already on the brink of extinction. We are yet to understand whether they have survived but we do know that we have tipped over into a new world and that climate heating is accelerating. The consequences of that, the volatility in our system, is being expressed every day around the planet and will continue to be felt in our country of Australia and particularly in our beautiful island of Tasmania.

In the context of the ecosystem decade on restoration and a biodiversity crisis, which is the reason we are scrambling to restore all the natural land systems we possibly can, it is really staggering that Premier Rockliff has chosen to spend the first week back in parliament looking at these two bills. At least the anti-protest bill is on the books. We know there has been a global recognition of the importance of forests, a global understanding of their critical value in storing carbon and protecting the climate from increasing amounts of greenhouse gases and a global commitment through the Glasgow Leaders' Declaration on Forests and Land Use to halt and reverse forest loss and degradation.

The statement of that meeting in the United Kingdom in 2021 reads, 'We urge all leaders to conserve, protect and restore forests'. I do not need to remind the House but I will remind people who are watching and will read this later that our Australian Government signed that commitment last year with other world leaders to conserve and protect forests. We agreed to progress an end to land clearing, we agreed to retrain and redeploy forestry workers and we agreed to look at the planning systems that enable the degradation of land, the land clearing.

Mr Tucker, the member for Lyons, should not be in this place, should not be in the Chamber now, let alone voting on this bill as he has a material interest in the bill. He seeks to clear more than 1800 hectares of native forests, of which 491 hectares are threatened *Eucalyptus ovata* communities, communities which are essential for the dwindling forests that support quolls, Tasmanian devils, swift parrots and many other species in Tasmania. It is an obscene amount of land clearing that we have not seen the likes of in Tasmania for decades.

The insanity surrounding this bill is that there are people, dinosaurs, who continue to think the world is theirs to play with, that self-interest reigns and that we live in a system that will continue to support material self-interest at the expense, not only of other people and animals who are here today, but people and animals into the future. What we do makes a difference, which is why we are here and why the Greens do not support this bill.

We cannot support this bill because we have listened to the science and to the scientists, to the children and young people on the Youth Advisory Council, we have listened to the Doctors for the Environment and we have listened to the nurses and all the other people at the frontline of the mental health crisis who understand that people in Australia and Tasmania want an end to the madness which continues to allow native forest logging in Tasmania. It continues to pretend that we can release the carbon from our forests that has been sitting there, stored, for hundreds of years.

A fantastic new piece of research released in *Environmental Research Letters*, by Mackey, Moomaw, Lindenmayer and Keith titled 'Net Carbon Accounting and Reporting are a Barrier to Understanding the Mitigation Value of Forest Protection in Developed Countries' makes it clear in scientific evidence what I have been talking about. It says that although international climate policy and agreement, such as the Glasgow Declaration I mentioned, in the land sector recognises that forest protection as a greenhouse gas and mitigation strategy must occur, this is not being recognised, particularly in developed countries, because of the relationship between capital and natural assets extraction.

We see presidents like Bolsonaro being an obvious international pariah. Mr Barnett, the minister for forestry, should also be an international pariah. He has been a minister of the Crown who has been overseeing unlawful logging during his time as that minister. The Government has been actively overseeing this. Both the Labor and Liberal governments together, since 1985, have been overseeing the unlawful logging, clear-felling of native forests in Tasmania.

Old forests matter. Another lie constantly perpetrated in this place is that old forests, new forests, baby trees, ancient trees are all the same. There is also the lie that trees stop storing carbon. That was dispatched in 2014 in the journal *Nature*. Clear research shows that the biggest trees increase their growth rates and sequester more carbon as they age. That research included *Eucalyptus regnans* and showed those ancient trees can continue to store huge amounts of carbon as they age. They liken the false myth that juvenile trees store more carbon to the idea that in the anthropocentric focus of our understanding of trees, humans grow fast as children and then we slow down. Trees, it seems, do not do that. We know this from tree ring records which go back hundreds, even thousands, of years. The extraordinary growth of eucalyptus forests are an essential part of carbon storage. As they age they increase the amount of carbon, so our old forests are critically important to retaining not just carbon for Tasmania but for the whole planet.

Professor David Lindenmayer said:

It's been a remarkable achievement for Tasmania to become net carbon negative because this is what we actually understand.

We hear a lot about carbon neutral but not carbon negative. It is one of the first times on the planet that anybody has ever shown this kind of reversal from carbon positive to carbon negative. That is Tasmania. That is a fantastic situation, but something the Government never drills down into the reasons for. That is because of the uncomfortable truth.

The authors of the paper make it very clear that this happened, according to their research, in 2011-12. That was the tipping point. What happened in 2011 and 2012? The ABC did a neat time line of what happened to cause that tipping point, where we moved from being a carbon producer to being a carbon storer as a state, and is the reason why we now have a net carbon negative status - one of the only places in the world that has that.

It is because the clear-felling of our native forests slowed down. The reason it slowed down was because there was a significant drop in native forest logging. That drop came about because of the demise of Gunns Limited. It went into administration in 2012 after a long period of corrupted practices, illegal practices and enormous amounts of public monies that were hoovered up over decades by the native forest logging industry in Tasmania. That company made merry for many years. It was only after the Labor Government, Paul Lennon and his secret talks with John Gay, who was then chair of Gunns Limited, about the Tamar Valley Pulp Mill that it all started to come unhinged.

Let us not forget when the independent assessment of the pulp mill committee had been interfered with by the Labor premier of the day. They wanted it to go ahead, come what may, and Christopher White, who was the retired Supreme Court judge who was the chair of committee, was told by Paul Lennon to speed up or be sped up. It was pretty clear that there was never going to be an independent process for the Tamar Valley pulp mill. It was just going to be an opportunity for that company to make vast rivers of money at the expense of our native forests. Thanks to the peaceful protests, the people of the Tamar region, the Wilderness Society and the Conservation Trust and all the other groups who stood up, Tasmanians overall were absolutely outraged at this attempt to take every last stick of forest in the state away and put it into a dirty, stinking pulp mill.

It fell over, Mr Speaker. John Gay was found to be the criminal man that he was and, when Greg Lestrane took over, Gunns went into freefall. This is the sort of disgusting, abusive, corrupt practices which have continued and continue today, where we have ministers making unlawful approvals for leases for MMG. The minister was caught out with that one. A total of 35 people were unlawfully, illegally arrested, and we have protesters who stood up for the Eastern Tiers, the Wentworth Hills, where 23 people were arrested, and that case was thrown out of court because there was no evidence because the basis for their arrest was also not lawful.

This Liberal Government has form in continuing the practices that the Labor government made themselves expert in over decades, and that is doing everything possible to continue the logging of Tasmania's wild and carbon-rich forests. It was only because of the Greens in government that we finally got an end to this with the Tasmanian Forest Agreement, which was to be a peace deal and a pact for all Tasmanians to move on from our divisive history, for

conservationists, along with foresters and forest communities, to seek to build a future looking at how we can manage our forests for the future, how we can manage our forests to be safe for communities that live near them under a heating climate and the continuing threat of bushfires. These are really important things that this Government could be focusing on, but instead it is focused on trying to lock up peaceful protesters and trying to continue apace native forest logging.

We know that children like Harriet O'Shea, who was with Bob Brown and others in the Wentworth Hills in late 2020, is a climate strike organiser - that is why she was there - and she understands the importance in a wildlife emergency, in a climate crisis, to protect forests like those in the Wentworth Hills. She is just one of many people who have continued to stand up and defend these places and they will not stop. The minister and this Premier need to understand that you can bring bills like this to parliament, but we have cases in court at the moment, we have the land clearing - the outrageous 1804 hectares of land proposed to be cleared by Mr Tucker at Ansons Bay. Let us not forget how big that area is in case people do not understand: it is something like a rectangle 4 km long on one side and 4.5 km long on another side. It is not going to be replanted with a forest, it is going to be cleared for pasture.

Do you know what that means, Mr Speaker? When you log an intact forest you dramatically dry out the area, you remove the moist forest and it gets replaced with a dried landscape. That affects not just that area, but everything else around it. It increases the drying in an already dry east coast. Mr Tucker would not only be having an impact on the endangered species in the forest area and the community, but on the local climate for all of these neighbours. I wonder if he thinks about that. These are the sorts of impacts we have to be aware of. We have to do what we can in our short lives to effect a change which is good for other people and children into the future.

We do not support this sort of naked attempt to feather one person's nest at the expense of threatened species and our climate. We do not support the continued logging of our native forests, like the Franklin Forest in the south of Tasmania, just one small area of beautiful native forest which has become so beloved by the local community that it has people there every weekend. I spoke to someone in Cygnet who was taking groups of people through just last weekend showing photographs of the fungus and the nursery logs which are growing new rainforest species. These are the places Tasmanians love and they will not be stopped from loving them. The genie is out of the bottle. We know what we have here is really special, we understand that it is different from anywhere else in the world and we really understand the importance in a climate crisis of doing everything we can to keep the carbon in the ground.

Just to complete the story about why Mr Tucker should not be in the Chamber for this vote, it seems Mr Tucker was a member of a concerned farmers' group who apparently lobbied pretty heavily against the threatened nature vegetation communities amendments to the Nature Conservation Act and the Forest Practices Act. These were mentioned in the *Hansard* debate. This obviously shows that there has been a long history of self-interest when it comes to Ansons Bay. That is exactly why it is completely inappropriate that somebody who has a forest practices plan that is being challenged in the court today should be in this Chamber voting on legislation that is seeking to unstitch the problems that have been in the legislation about the authority of the forest practices plans that have been assessed, certified and approved in the past since 1985. Mr Tucker's is just one example of so many forest practices plans that it seems were approved, presumably unlawfully.

The minister claims that the words that have been used in the instrument of delegation 'could' be interpreted as fettering powers, but then at the same time he assures us that is not the interpretation that is intended. If that is the case then why does the act need changing at all? Why do we not just adjust the words of the instrument of delegation, as well as a validating amendment? Why are we here? What is this about? Why is the minister being so untransparent, so deliberately murky in his language? I assume it can only be because he does not want to be on the record for providing ammunition for yet more court cases. There are a large number of them. More will come, by the way, minister. There will be more people standing up and being prepared to get arrested if that is what it takes to stop the bulldozers going in and clear-felling native forests. People will not sit down and stay in their chairs and remain comfortable when we are in a situation where we have just eight short years before we reach a tipping point - and that is an extremely conservative estimate.

We do not accept the legitimacy of Mr Tucker voting on this bill. We do not accept that the need for the bill at all has been demonstrated by the minister; it is completely unclear. We challenge him to give the actual words that he is talking about instead of referring to them in purposely euphemistic language. It seems his job here today is to do everything possible to avoid letting us know why we are here debating this bill in the first place. It is either not necessary and there is no problem, nothing to see here and everything that has happened since 1985 is fine, or there was a problem and he is going to fix it and the problem needs to be outlined so that we can understand what it is we are voting on.

As it is, I do not understand what the minister is asking us to vote on. I am certainly not going to give my vote as the member of Franklin to something that is so deliberately deceptive. It is a cynical treatment of parliament. It is more of this minister's, frankly, unlawful - is a kind way of putting it. He cannot lie straight. I think he should feel ashamed of the fact that he is trying to cloud this in some legitimacy when it has none.

[4.22 p.m.]

Mr BARNETT (Lyons - Minister for Resources) - Mr Speaker, I am very pleased to respond to the contributions that have been made in this place on the second reading debate. I thank all members for their contributions. I would like to thank the Leader for the Opposition for indicating support for the bill on behalf of the parliamentary Labor Party and I acknowledge the response from the Leader for the Greens and also the member for Franklin noting their opposition to the bill, which of course is not surprising.

I will respond in some detail to the comments, and the criticisms, that have been made in the course of the second reading debate as well as the many unfounded allegations that have been made that are simply untrue. I will respond to a range of concerns that have been raised and to put on the record the clear views of this Government to validate, remove doubt, with respect to this matter.

First of all, I will read into the *Hansard* the views of the Tasmanian Forest Products Association that I received earlier today from Nick Steel, the Chief Executive Officer, where he says on behalf of the Tasmanian Forest Products Association;

We write to provide our support to the pending bill to amend the Forest Practices Act 1985. The importance of this validating legislation cannot be underestimated as it will remove doubt and provide certainty to the Tasmanian forestry industry. We understand that the bill seeks to resolve an

administrative matter relating to power of delegation. We also understand that this does not have anything to do with the legitimacy, including safety or environmental soundness of our on-ground forestry operations.

For the continuing confidence of our industry which includes native forests and plantations and across public and private land, we expect this bill to get support in both Houses of parliament to resolve this matter swiftly.

That is the position of the TFWA. I appreciate that and I am pleased to put that on the record. We will come back to the importance of the industry, and how important it is to our state.

First, I will respond to the Leader for the Opposition. As I said, I appreciate the support but I am disappointed in her contribution, particularly the early part of it. I make it very clear that the Government's intent has always been to remove the doubt, provide the certainty and to resolve this technical administrative issue as a matter of urgency and as soon as possible. To the Leader of Opposition in this place, just to be very clear, it takes time to take advice, act on it and introduce a bill.

I commend the Office of Parliamentary Counsel for the enormous amount of work they have put in getting this bill here today, together with the support, the amount of time and effort of my department, who are here today - and not just those who are here but of those who are behind them in other offices. Yes, I did go public on 6 April, as I thought it should be in the public domain. At the time I took a call with the spokesman for the other side, Dr Broad. I am sorry he is not here. I wish he and Ella Haddad well and a speedy recovery, like others in this place.

I provided a phone call. I organised a briefing, and followed up with a phone call. I did not want to politicise the matter yet the very next day the matter was politicised. The Leader of the Opposition read into the Chamber the media release that was put out, clearly politicising the matter with respect to the proroguing of parliament and the role of the premier.

You are entitled to that view but we also entitled to respond. That was responded to the very next day. So, the intent at all times was to provide certainty and to validate the delegations as set out in the bill and set out in the second reading speech.

The second thing I want to respond to is that it was quite disparaging, and I am very disappointed in the Leader of the Opposition and the Greens members who commented on the second reading speech, which was drafted by the department. Let us be very clear. I thank them for their support. It has been drafted and it is on the record today. It sets out very clearly the views of our Government. I encourage you to consider your views and your position in that regard. With respect to the Greens, there is more to say in terms of the unfounded allegations and criticisms.

Let us deal with the concerns that both members for Franklin and Clark have been making with respect to the bill. They have been asking all sorts of questions about the bill but they had been offered a briefing. The bill attached the letter I sent at 10 am yesterday morning or thereabouts. At 6 pm last night they received not just the bill but the whole bill pack, but they come into this place and say they only got it this morning. The letter makes it very clear they were offered a briefing, not only in writing but in person to their office, but they refused it.

The Leader for the Greens says she refuses a briefing from my department; she cannot trust my department. I ask you to consider your own position. We are talking about reputable credible people. I back them in, through you, Mr Speaker. I hope they are not offended by those remarks by the Leader of the Greens because it is very disappointing. It is not on in this place.

Ms O'Connor - I feel sorry for them that they work to you.

Mr BARNETT - A briefing was offered. You have not accepted the briefing. You are asking various questions this afternoon.

Ms O'Connor - We got briefings from lawyers who defend protesters.

Mr BARNETT - You are entitled to ask the questions but you were offered a briefing and you were forwarded the information, so let's not beat around the bush on that.

I acknowledge the member for Clark, Kristie Johnston's contribution earlier today and I understand where she is coming from. I accept that and she has taken that briefing and I appreciate that. That is all I can say at the moment. I have not heard her contribution to the debate, but I say thank you for taking that. I realise you are a busy member of parliament and this is important and it needs to be forwarded and debated in a swift and timely manner, which is exactly what we are doing. That is why I am grateful to the Opposition for the opportunity to do that today and I appreciate the full support of this Government to progress.

There were some disparaging remarks made about the Premier. I congratulate the Premier on his position. Disparaging remarks are not called for from the Leader of the Opposition. He has acted decisively and swiftly and as a government we have moved forward on this. There is no-one more committed to jobs and a growing economy and ensuring that we can have record investments in health, education and housing. Our Premier, Jeremy Rockliff, is doing exactly that and he is doing it with heart. He has a compassionate heart and he wants to support the local community in that way. We have acted on that as swiftly as possible and that is why we are here today. I thank all of those involved to get us here today, not just the OPC, the department, but my government and also those in my office who have worked endlessly to get this to where it is today.

I will address a number of the allegations from the Greens. There was an unfortunate reference to young people by the Leader of the Greens with regard to giving them the middle finger. That is absolutely disregarded, criticised and refuted. We are giving them a future and we have acted swiftly.

I will address some of the concerns she has about the industry and about climate. The Leader of the Greens asked about the matter and when it was raised. I was advised about the matter before my statement on 6 April and I took it seriously. I had raised it and received advice on it from my department and others across government. We could not have acted more swiftly, in my view. Our focus at all times was to remove the doubt and provide the certainty for our sustainable forest industry.

In relation to her evidence regarding her concerns about the economic contribution of forestry, that was from a 2018 report by Professor Schirmer and it was \$1.2 billion-worth to the economy. That is the answer very clearly and it is on the public record and she knows that.

It was no surprise to hear the Leader of the Greens parrot the radical Bob Brown Foundation's claims that it was so-called 'unlawful logging' or 'illegal logging'. They have been saying that publicly and in this place -

Dr Woodruff - Because it is true, Mr Barnett.

Mr BARNETT - Let us be clear: that is wrong. I am surprised that the Greens would make that claim. They continue to make that claim but of course they are the parliamentary wing of the Bob Brown Foundation, so I guess we should not be surprised. It is even more disappointing then when they do not accept a briefing from my department to refute such an inappropriate and reckless claim. Such claims are extremely serious and they are made without substance and that should be absolutely refuted.

With respect to the concerns they have about the science and the climate, of course we had the member for Franklin talking about climate change. Tasmania is leading not just the nation, but the world. Here we are with 100 per cent fully self-sufficient renewable energy, and when do they stand up and say, 'Congratulations, well done, thank you' for that renewable energy action plan where you have 100 per cent -

Dr Woodruff - We are trying to stop you undoing the success that we have achieved by ending native forest logging.

Mr SPEAKER - Order.

Mr BARNETT - We are targeting 150 per cent by 2030 and 200 per cent by 2040. This is our plan. It is legislated; it has been passed through the parliament. Why would they not recognise that?

In terms of the climate, we had vast comments and deliberations from the Greens member for Franklin with respect to climate. We are leading the way. We are already zero net emissions for six of the last seven years and we have a target by 2030 of zero net emissions, leading not just Australia but most parts of the world. Surely that should be acknowledged by the Greens but no, they will not acknowledge and support that.

With respect to forestry itself, it is sustainable and renewable. It is the ultimate renewable. Yes, wood is good. It is right here. The carbon is here in this place today. Half of Tasmania's forests, or approximately 1.79 million hectares, are protected in reserves. That includes more than 1 million hectares or well over 80 per cent of Tasmania's old-growth forest. With respect to the Intergovernmental Panel on Climate Change and the release of their Climate Change 2022: Impacts, Adaptation and Vulnerability report, the work of the IPCC sixth assessment report is still underway and will not conclude until it releases its synthesis report in September later this year, but the research shows that a mixed strategy of conservation and timber production is more like to be optimal for atmospheric carbon reduction and forestry resilience. The Government also continually monitors new scientific research to ensure the way Tasmania regulates forestry continues to be contemporary and consistent with best practice.

Mr Speaker, working forests are important, mixed-use forests are important and sustainable forests, and the way they are operating in Tasmania is vitally important. We have now had 35 years under the Forest Practices Authority. I remember just a few years ago we

hosted a special national conference in Tasmania to recognise the 30-year anniversary of the forest practices management arrangements in Tasmania. It is seen as best practice, not just here in Tassie but around Australia and around the world. I remember that quite well and I see Dr Peter Volker in the adviser's chair who is the chief forest practices officer. I thank him for his leadership, together with all the members of the FPA and the board. I commend the new board chair, Pam Allen, and thank her for taking on that role. I thank the directors for their leadership role with the Forest Practices Authority in particularly busy times in recent weeks and months on this matter.

I want to respond and turn to this argument about the Government introducing a bill to validate illegal harvesting activities. As I have said, just to confirm, no, and the reason I say that is that there is no finding that past delegations are invalid, let alone harvesting activities. The identified matter does not go beyond delegations. I have said that and, to confirm for the spokesman for the other side today, it relates to delegations, not to decisions that have been made. That is why it is a highly technical administrative legal matter. It relates to the delegations, not the decisions that have been made over the past 35 years. The matter does not go to the safety or appropriateness of the forestry operations undertaken on the ground.

Parliament is not being asked to validate decisions. If you listen to the Greens or others in this place, and for those who are listening and those in the other place who are considering this matter, the parliament is not being asked to validate decisions. It is merely being asked to validate instruments of delegation to ensure that there is no question -

Dr Woodruff - That is what you would like to pretend, Mr Barnett, but you have not given us the words, so how would we know?

Mr SPEAKER - Order. The member for Franklin has had her opportunity.

Mr BARNETT - to ensure that there is no question to answer as to their validity purely based on the construction of the same.

With respect to the suspension of forestry operations while this matter is resolved, the answer is no. It would be completely unnecessary and disruptive, not only to the industry but to supply chains. It would be completely reasonable for the industry to continue to operate; it is appropriate and supported by our Government.

There has been no finding that past delegations are invalid, let alone harvesting activities. There seems an assumption of regulatory. This is a principle that I want to confirm. It is an assumption of regulatory. It is a legal principle. You can take advice on that. That is why I am saying it. We have taken advice and that is the advice. Forest operations can continue to be carried out in accordance with the Forest Practices Plans that have been prepared in accordance with the Forest Practices Act 1985 and the Forest Practices Code.

With respect to the question about the construction of the bill, it has been drafted by the Office of Parliamentary Counsel. I have already thanked them for their service and support. The bill does not validate decisions under delegations, as I have said. It is being introduced for the purpose of removing doubt and to validate those delegations. It does not prevent anyone from pursuing their normal available avenues of appeal. That includes protectors who may have convictions from past years.

I will make a reference to the allegations from the Greens with respect to John Tucker, member for Lyons, and to highlight the fact that there is a court case going on. The Greens have made copious arguments with respect to this matter. They are using parliamentary privilege to progress that objective. It is either grossly negligent or reckless of them in doing so but certainly unwarranted. It is, in fact, incredulous when there is a court case before us. I urge the Greens members to consider their position and consider their words when they are speaking with respect to this matter which is before a court.

What has happened earlier today is that Mr Tucker has put his position to the House. It is based on advice from the Clerk of the House. This is an appropriate and a proper course of action. What we are focusing on today is an amendment relating to a matter of highly technical administrative nature. Attempts to conflate that with Mr Tucker's interests or otherwise is just stalling or a diversionary tactic. I urge the Greens to please consider that matter.

I have made it clear why the Government is introducing the bill. It is to provide that certainty to our sustainable forest industry, to remove that doubt. It is out of an abundance of caution and we have acted as swiftly as possible. We know how important the industry is. The member for Braddon, Felix Ellis, outlined the importance of the industry, its history industry and our support for it over a long time very well. We have rebuilt that industry under our Government since 2014.

I could comment more on that but is it in terms of the issue? It is a matter to do with the wording of a number of instruments of delegation issued by the forest practices officer. It relates to the manner and construction of the instrument. I made this clear in my second reading speech: the matter identifies and may, underline may, have broader implications. This is because instruments of delegation have been issued in a similar form since the act commenced. I could go on but I am just making it clear in responding to some of these questions.

What would be the impact to the industry if activities were suspended or closed? Clearly, it would be a massive impact. We are talking about impact on public land, on private land, native forestry, plantation; we are talking hardwood, softwood, across the board.

I said in my opening remarks that there are an estimated just short of 500 forest practices plans last year. We have more than 150 forest practice officers in this state. They all have a job to do in accordance with the standards and the principles and the forest practices code, which is set out and made available through the Forest Practices Authority.

This is really important. I cannot tell you how important this is. If the industry was suspended and/or closed, it would have a massive impact not just on jobs, not just on investment; we are talking social impact across rural and regional communities. That is how important this legislation is. That is why we are focused on getting the job done, and swiftly, to provide that certainty. We do not want doubt. Why would you want doubt about the future of the industry? When I talk about the industry, I mean across the board, public and private land, softwood and hardwood plantation, and native forestry. That is the gamut. Of course, the Greens have not recognised that, nor do they wish to speak about the importance of that.

In terms of the delegations, for context the Forest Practices Authority 2021 annual report, said that there were 158 authorised forest practice officers. Of these, 94 have a delegation from the Forest Practices Authority to consider applications to certify forest practice plans. How many forest practice plans have been certified under delegations that this bill is seeking to

validate? It is important to know that the bill seeks to validate instruments of delegations, not the certification of forest practice plans.

For context, the FPA stated in its annual report that 464 forest practices plans were certified in the 2021 financial year. I said an estimated 500; it is actually 464 in 2020-21. Of these, 138 were native forestry harvesting and reforestation, 200 for plantation operations, 26 for reforestation on cleared land, seven for quarries, and 93 for roads. So, it covers roads and quarries as well. Do not think it is just purely harvesting of trees for that purpose; it is in terms of roads and quarries as well.

There was criticism about retrospectivity. No there is no constitutional bar to retrospective legislation. I want to be very clear: this parliament has passed a number of validation bills over the last several years. I want to draw your attention to four that I will outline. We had criticism asking why should we be doing this retrospective, going back 35 years? It has happened before; it is somewhat unusual but it is not unprecedented.

Let us have a look at the last several years in this place. Many members were here during this time. Just last year - the Justices (Validation) Bill 2021. That validates previous summonses and warrants purportedly issued under the act. Number two, the Legal Profession Amendment (Validation) Bill 2019, validates certain past decisions, dating back to 2011 in relation to grants. That goes back to 2011. That bill was passed in 2019 by both Houses of this parliament.

Today we are talking about going back to 1985. The Forest Practices Authority was established in 1987 pursuant to the 1985 legislation. The forest practices plans started in and around 1987 - we are talking 35 years. We have the Roads and Jetties Amendment (Validation) Bill 2019, which validates licensing. A fourth example is the State Service Amendment (Validation) Bill 2019, No. 52 of 2019. That validates past payments made to employees. Are you suggesting that we should never have passed such legislation? That is a rhetorical question, of course. The answer is no. That would be ridiculous. Those bills were brought in, parliament considered and passed them, so it is really important.

Regarding the timing of this bill, it is to be approved upon royal assent, and I can indicate that as a government we will be seeking royal assent as soon as possible. The disposition of this Government is to progress this as soon and as swiftly as possible, and that is what we are doing. We are acting as a mature, professional government to deal with this -

Mr Winter - You prorogued parliament a month ago.

Mr BARNETT - Here we go. We have an interjection by the Leader of Opposition Business. It was only identified and publicly identified on 6 April and I got advice before then and made a public statement that we would need a bill introduced as soon as possible. We have acted swiftly -

Ms O'Connor - That is not true. It was identified before that and spoken about in courts.

Mr SPEAKER - Order.

Mr BARNETT - I put out a statement on 6 April.

Ms O'Connor - You said it was identified on 6 April.

Mr BARNETT - No, I did not.

Dr Woodruff - Yes, you did. You did this morning.

Mr BARNETT - I said before 6 April. I made a public statement on 6 April. Let us clarify for the record that I received advice and had discussions and deliberations before 6 April.

Ms O'Connor - When did you know about the problem? I asked that question.

Mr BARNETT - You just do not suddenly make a statement. I got that advice, I acted on the advice, put out a statement on 6 April, and we have acted swiftly on it since then. I had an interjection from the member for Franklin asking why I did not do it a month ago. Well, what is the date today?

Mr Winter - It is 3 May.

Mr BARNETT - It has been less than a month. Do you know the amount of time and effort required to actually draft a bill, go through due process, and get it to the parliament? We have acted swiftly. That is less than a month.

There was a question about actions in the north-east and the Blue Derby Wild -

Ms O'Connor - The S-G's legal team has been raising this in court and saying there will be validating legislation for months.

Mr SPEAKER - Order, the minister has the call.

Mr BARNETT - I am speaking with respect to why the Government is seeking to intervene in the judicial matter of Blue Derby Wild. The Government announced its intention to introduce validating legislation on 6 April. The Blue Derby Wild initiated proceedings on 8 April, two days later, and the matter is currently before the court and will remain so.

As the minister, obviously I am not a party to the proceedings, nor is the Department of Natural Resources and Environment. The respondents in the matter are Sustainable Timber Tasmania and the independent Forest Practices Authority. The action the Government is seeking to take, and the parliament is being asked to take, will in no way interfere with the separation of powers doctrine. The bill is about providing certainty. It would not be appropriate of me to make further comment on a court matter.

There was a question asked from the Greens with respect to, 'Why not wait until the decision is reached in the Blue Derby matter before turning to the legislation?' The Blue Derby matter is yet to proceed to trial and the timing for the decision is not known. The Government has been proactive in dealing with the matter and has chosen to act out of an abundance of caution.

Mr Speaker, the bill is considered urgent because it will provide certainty to our sustainable forest industry. It is unreasonable for the industry to have to deal with the threat of

legal action hanging over them while this matter is resolved, and that is really a key point, a threat that exists solely because of the form and construction of some instruments of delegation.

Ms O'Connor - I asked a question of you during my second reading contribution, which you have not answered yet, which is when did you become aware of this issue, and how?

Mr BARNETT - As I have indicated and said in my second reading speech, I was provided advice and feedback from my department and others relating to this highly technical administrative matter which had implications and there was concern expressed. I acted on that advice and feedback and put out a statement on 6 April.

Ms O'Connor - It's not that difficult. You could have referred to when you were given the advice.

Mr BARNETT - It is a matter of listening to the position that I have made and am happy to repeat, but with regard to this bill and its importance and the advice received, there are a lot of deliberations you have as a minister with your department and the advice within the office and across government. All that was taken on board in advance of the announcement on 6 April. It could not have been clearer in that announcement. I made the position of the Government very clear and I am happy to read that to you.

In short, it summarises the position of the Government at the time, which was to provide notice of the importance of that concern, to deal with the importance of certainty, to remove the uncertainty for the industry and to ensure that there is a removal of doubt. I can flesh that out further, but that is the sum of it.

In conclusion in the few moments I have remaining, I want to indicate how important this bill is. I acknowledge again and thank the Labor Opposition for their support and indicate that we will provide and have offered briefings, as I indicated yesterday in correspondence to all members of parliament. With regard to the Legislative Council, I understand that is tomorrow morning. With respect to people in this place, that advice was made available yesterday morning. That briefing from the Labor Opposition was taken this morning and the Greens have not sought to accept a briefing. They received the bill around 10 a.m. yesterday morning and they received the pack including the second reading speech and the clause sheets last night around 6 p.m.

Ms O'CONNOR - Point of order, Mr Speaker. This is not having a crack at you, minister. I need to explain to the minister that what happened with the clause notes and the second reading is that they got caught up in the parliament IT system. I do not know if they were identified as spam or dangerous malware, but they were blocked in the system and did not arrive in our in-boxes until after 8 am this morning. That is the fact of it. We did not get them last night, and we told your office that too, minister.

Mr BARNETT - We have had an interjection from the Leader of the Greens and I can only take her at her word and take the word from my office that it was emailed around 6 pm last night and to confirm that in writing your office was offered a briefing. You declined the briefing. It was also offered verbally to your office but you declined the briefing. That says volumes because you are not very interested in the actual detail of the bill. We know where the Greens are coming from. They have a very strong disposition to oppose the native forest

industry and close it down altogether and the impact on jobs and communities would be massive.

The only thing I will say in conclusion is at this stage I still have not received feedback from the Labor Opposition with respect to the workplace protection legislation. I know we are not debating that now but it was introduced this morning and has been available for public comment until 15 April and there was no submission made by the Labor Opposition with respect to that bill. We are all waiting with bated breath on the views of the Labor Party. I know the industry is very keen. I know the community is very keen to know whether you support the right to work and businesses the right to operate. That is another matter. I am sure we will have further discussions about that. I draw that to the attention of the Labor Party while we are discussing the importance of the industry.

Mr Speaker, I commend the bill to the House and I thank all members for their contribution.

Mr SPEAKER - The question is that the bill be read a second time.

The House divided -

AYES 19

Mrs Alexander (Teller)
Ms Archer
Mr Barnett
Ms Butler
Ms Dow
Mr Ellis
Mr Ferguson
Ms Finlay
Mr Jaensch
Mr O'Byrne
Ms O'Byrne
Ms Ogilvie
Mrs Petrusma
Mr Rockliff
Mr Street
Mr Tucker
Ms White
Mr Winter
Mr Wood

NOES 3

Ms Johnston
Ms O'Connor
Dr Woodruff (Teller)

Motion agreed to; bill read the second time.

Sitting Time

[5.06 p.m.]

Mr STREET (Franklin - Leader of the House) - Mr Speaker, pursuant to Sessional Order 18A, I move -

That for this day's sitting, the House not stand adjourned at 6 p.m. and that the House continues to sit past 6 p.m.

I have spoken to Mr Winter and to Ms O'Connor to foreshadow that this is what we were going to do. I apologise to Mr O'Byrne and Ms Johnston that I did not get a chance to come to you beforehand. I am hopeful that we will be finished not long after 6 p.m. but I have raised the adjournment to allow the bill to progress through every stage and be done with today.

Motion agreed to.

FOREST PRACTICES AMENDMENT (VALIDATION) BILL 2022 (No 13)

In Committee

Clauses 1 and 2 agreed.

Clause 3 -
Principal Act

Ms O'CONNOR - I can flag that we have an amendment to be inserted after clause 3 which seeks to amend section 38 of the principal act. We have moved past the tense second reading part of this debate. I have been back through your second reading trying to find that small sub-set of words that you are talking about - the highly technical matter that has created the problem. Can you confirm that it is about whether or not the chief forest practices officer issues a conditional or unconditional direction, and is it that the fettering of powers which you have spoken about relates to the chief forest practices officer - so there is a delegation, and under Clause 39 that that can be a conditional or unconditional direction? I am going to stay on my feet for a second because I have 10 minutes.

Minister, I think the House deserves, and certainly what Dr Woodruff and I want to understand is, what is the specific provision in the principal act, noting that later on in the amendment bill that we are dealing with we delete clause 39(3A), clause 39(3B) and clause 39(3C), and is that where the set of words that you have referred to is? Does it relate to the capacity of the chief forest practices officer to direct a delegated officer with conditions attached to that direction?

I want some clarity around exactly what is the offending provision.

Mr BARNETT - Mr Chair, in response to the Leader of the Greens, I assume you are speaking to your clause 3 that you have introduced to the amendment?

Ms O'CONNOR - No, clause 3 of the amendment bill. I am asking you in this - which is just a discussion of the principal act, which can help to guide us more smoothly through the remaining clauses, even though we will not support the legislation.

Mr BARNETT - Which clause are you asking your question?

Ms O'CONNOR - Clause 3 in the amendment bill, clause 39 in the principal act. The amendment strikes out clause 39, subclauses (3A), (3B), and (3C). Can you confirm that this is where that set of problematic words is? Can you confirm it is about a conditional direction rather than an unconditional direction? We are still trying to get to the bottom of what is exactly the set of words that have caused the problem.

Mr BARNETT - I think there is a conflating of section 39 and section 43. Section 39 is amended by omitting subsections (3A), (3B), and (3C), which I think you acknowledged and note.

Ms O'Connor - That is right.

Mr BARNETT - Then section 43A has been inserted. So, after section 43 of the principal act, the following section is inserted in Division 4. I will not read through the whole thing, but it is directions by the chief forest practices officers. We need to make it clear the chief forest practices officer:

- (a) may give a direction to a forest practices officer in relation to the exercise or performance of a function or power of the forest practices officer under this Act; and
- (b) may give a direction to a forest practices officer, or other person, in relation to a function or power of the Authority that has been delegated to the forest practices officer or person under section 43.

Then there are subclauses (2), (3), and (4). I will not read it; it is in the validation bill.

What I could do to assist and then you can further clarify your question - whether it is about section 39 being removed or about section 43A being inserted and whether you want more information on section 39 being removed or section 43A being inserted.

The phrasing used within the instruments of delegation that I have been referring to throughout the second reading speech and throughout the whole debate, going back over 35 years, may be problematic. I have said that before. That is because words used could be interpreted as creating a fettering of powers. I know the FPA board has been advised and it does not intend or has never intended to fetter the exercise of a delegate's powers. What the board has done and should continue to do is appropriately manage any risks associated with the delegation of its powers.

In this context, making a delegate subject to directions issued by the chief forest practices officer is a sound risk management tool. In this regard, it should be noted that section 39 of the act, which I have just referred to, already provides the chief forest practices officer with the power to issue directions. This directions power is of particular importance in the context of the forest practices system, where an FPO can be employed by an external employer involved in the industry, making those FPOs subject to the chief forest practices officer ensures high standards and FPOs to ensure that those high standards are maintained.

The chief forest practices officer, Dr Peter Volker, is in the adviser's chair. He is responsible for overseeing the day-to-day administration forest practices. Dr Volker, as

I indicated in my second reading speech, has decades of experience. He is putting that experience to good use.

I said earlier that in addition to validating past instruments of delegation the bill seeks to make some minor targeted amendments to the act to clarify the scope of the chief forest practices officer power to issue directions. That might be at least one of your queries. The powers and the delegations of the chief forest practices officer are set out in section 43. Section 43A is there to assist in understanding those powers. I hope that assists the member.

Before you jump, if you want to clarify, if you want more information on section 39 or more on 43A, I will attempt to assist.

Ms O'CONNOR - We can do that later in the discussion, Chair.

It is still not exactly clear to me, and I do not think I am a dummy, what that set of words is to which you referred. As I see it, the removal of those three subclauses under clause 39, a lot of those powers are replicated in the new 43A. I will just park that for a minute and seek some advice on how I move our amendment after clause 3.

CHAIR - You would need to dispense with clause 3 and then you can move your amendment.

Ms O'CONNOR - I am happy to do that.

Minister, as far as I am concerned, what you did then in responding to my inquiry was to restate some of what you had said in the second reading speech. I gather then, that the issue of the fettering of powers relates to whether or not the chief forest practices officer can issue a compulsory or binding direction to a delegated forest practices officer. The proposed new 43A, which I know that we will get to, is pretty clear that the chief forest practices officer must not require the forest practices officer to make a particular decision. That is not reflected in the principal act. Is that the nub of it, minister? That in the act itself a delegated forest practices officer can be subject to, under the act, a binding or compulsory direction. Is that the issue at its core?

Mr Barnett - Do you want to talk about section 39 or section 43A? We can do both.

Ms O'CONNOR - We will do both but I am trying to understand if that is the nub of the issue: that in the legislation you have a capacity to issue a binding direction to a delegated officer and then in the amendment you can issue a direction to seek advice or to recognise this policy but you cannot bind a delegated officer to a direction. Is that correct?

Mr BARNETT - I am advised that section 43A provides provisions which are different from section 39 which has been deleted and provides further embedded particulars and greater clarity over the role of the chief forest practices officer. That is the advice I have received and that is what I am sharing with you now.

Clause 3 agreed to.

New clause A -

Ms O'CONNOR - Chair, I will move my amendment and then say a few words. I move-

That after clause 3, insert the following new clause A -

A. Section 38 amended (Appointment of officers for the purposes of Act)

Section 38 of the Principle Act is amended by:

- (a) Omitting 'employed by the Forestry corporation, any person' from subsection (1); and
- (b) Omitting subsections (2), (2A), (2B) and (2C) and substituting the following subsection -
 - (2) Notwithstanding subsection (1), the Authority may not appoint a person engaged in, or employed by a person who is engaged in, forest operations within the meaning of the Forest Management Act of 2013.

My understanding is it is standard procedure for Forestry Tasmania employees to draft forest practices plans and then certify them. We think this is a design flaw in the system. If I am incorrect about that, I am very happy to be corrected by the minister, but under the act as it currently stands, the Forest Practices Authority or the chief forest practices officer can appoint a Forestry Tasmania employee to prepare a forest practices plan and that plan can be certified by that same Forestry Tasmania employee.

In our view, that sets up a conflict where if the Forest Practices Authority, which I believe it seeks to do, has as its mandate ensuring we have a good set of principles in place to protect forest values to the greatest extent possible, that is not Forestry Tasmania's brief really. Forestry Tasmania's brief is to maximise the volume of native forests that are cut and to meet a minimum sawlog quota which, let us face it, it has not met for a number of years now. It is not appropriate for a delegation to be made to the forestry corporation, whose job it is to log as much forest as possible in order to meet a minimum sawlog quote. We think a delegation should be made to people who have specialised expertise in forest values, for example.

Again, this is one of those that is too cosy and too Tasmanian by half, where the FPA can say to an FT staffer, 'You do the forest practices plan and effectively certify it'. Is that why what we are seeing in leatherwood forests, for example, where there is a memorandum of understanding between beekeepers and the minister, on behalf of the Crown, requires Forestry Tasmania to protect significant stands of leatherwood? If you talk to the leatherwood honey producers, they will tell you that is not happening. We believe part of the reason that is not happening is because Forestry Tasmania employees are preparing forest practices plans that effectively raze leatherwood forests within coupes. We have seen pictures provided to us by the honey producers.

We commend this amendment because it is not appropriate for Forestry Tasmania staff to be preparing forest practices plans. Their primary objective is not maintaining the integrity

of forest values or making sure you have representative forest values there, their primary objective is to meet their legislated minimum sawlog quota. I commend the amendment.

Mr BARNETT - I indicate the Government will not be supporting the amendment, which I am sure is no surprise to the Leader of the Greens and member for Clark. This goes to the heart of our co-regulatory scheme, and what you are attempting to do is put a dagger into the heart and destroy a co-regulatory regime which has been operating since 1985 and since 1987 on the ground, for 35-odd years, successfully - best practice. I said in my contribution we have had people from all around Australia coming here to commend and congratulate the Forest Practices Authority as an independent entity and regulatory body. Just to be very clear, the Greens will use every attempt to attack the sustainable forestry industry we have in Tasmania.

This amendment goes to the heart of our Forest Practices Authority as an independent regulatory body. It is a co-regulatory system that has been operating successfully in our sustainable forest industry for 35 years. It is recognised on the world stage as an exemplary system for regulation of forest practices, giving due regard to environmental protection. The system is based on a co-regulatory approach, combining self-management by the industry with independent monitoring and enforcement by the Forest Practices Authority.

The appointment of the FPOs from within industry is a key feature of this co-regulatory system, it is reflected in schedule 7 of the act, and I could read that to you, I have it at the desk, but it is there for all to see. Schedule 7 sets out the roles and responsibilities that are available, and the objectives of the forest practices system. Those objectives are set out, A through to H, and it is quite comprehensive. Schedule 7 of the act sets out the objectives, one of which is 'delegated and decentralised approvals for forest practices plans and other forest practices matters'. In other words, the system's operation is one that is specifically provided for in the legislation.

A delegated and decentralised approvals process is essential to the system's efficiency. The effectiveness of the system is maintained through independent monitoring and enforcement by the FPA, there are annual audits conducted by the FPA, and annual reports to parliament, so members of this parliament can comment, criticise and raise these issues every year around October/November when we have those discussions and debates when the annual reports are tabled in this place. You can debate that, you can criticise that, you comment on it, no issues whatsoever, that is part of the transparent, open process we have while regulating our forest industry in Tasmania, and it is working. It has worked well for 35 years and we back it in as a government.

In addition to that, I have mentioned the annual audits and there are high levels of compliance every year. I know the chief forest practices officer is in the Chamber, in the adviser's chair, and he will back that. Decades of experience with his team, and now with the board. Pam Allen, the new chair of the board, was recently appointed. I thank her for her service.

The power of the chief forest practices officer to issue directions to FPOs is a power which this bill is seeking to clarify. I made the point earlier in my second reading speech, there is clarity being provided by this bill. The advice has been through OPC, we have feedback from the department and we have acted on that advice. The bill is now before us to provide the clarity and certainty the industry is seeking.

As set out in section 39 of the act, an FPO's appointment can be revoked if they contravene, fail to comply with a direction given to them by the CFPO. This amendment is going to the heart of an independent co-regulatory system. The Government will not be supporting this amendment. We know where you are coming from. I do not need to say much more than that. You are entitled to move the amendment. You are entitled to express a view with respect to our co-regulatory system which has been operating as an independent regulatory body since it was established in legislation in 1985 and as an authority in 1987.

[5.31 p.m.]

Ms O'CONNOR - I am convinced, minister, that you pretend not to understand or hear my questions, because in the discussion and the questions I asked you about clause 3 in the amendment bill, what is the specific set of words, you obfuscate. We never got to them in the end.

Now you do not even get to the issue we are trying to raise with you. The Forest Practices Authority is a statutory independent body. Forestry Tasmania is not independent. Forestry Tasmania has been a politicised government business enterprise from the get-go. It has inserted itself in political debates since the very beginning. Who can forget Bob Gordon's attempts to pick apart the Tasmanian Forest Agreement? Who can forget his stooge, Ken Jeffreys? I nearly did forget Ken Jeffreys, a former ABC journalist running interference for Forestry Tasmania to try to get the Tasmanian Forest Agreement smashed to smithereens.

Yes, the Forest Practices Authority is statutorily independent. We do not hear complaints about the FPA. What we hear complaints about is rogue operations undertaken by Forestry Tasmania or forestry contractors. What we see evidence of is unsustainable logging practices that if you had a really thorough and genuinely robust forest practices process in place, you would see. We would not be having the leatherwood honey producers, for example, coming to us, the Greens, of all people asking for help because this minister makes promises and signs MOUs that are not worth the paper they are written on.

Forestry Tasmania is not independent. It never has been. It has been a political football, a political ally, or a political enemy of the Government of the day. You have a delegation embedded in the Forest Practices Act that allows a statutorily independent chief forest practices officer to delegate to a corporation which must meet a statutory minimum sawlog quota.

Of course, it does not work. You can say, minister, that we have world's best practice forestry operations here in the native forest logging sector. We obviously do not, because twice now Forestry Tasmania has failed to secure forest stewardship certification. We obviously do not, because according to researchers at the Australian National University, the swift parrot is down to around 300 individual birds. While we might have the convenient story of it being about sugar-glider predation, we know that is just happening at the margins. It is the clear felling and burning of swift parrots trees habitat that is the issue here. It is obviously not world's best practice, because world's best practice industries do not drive species to extinction.

I will just say it again. One more time, slowly. Twice now, Forestry Tasmania, under this Government and this minister has been unable to persuade the auditors from the Forest Stewardship Council that the industry here is sustainable. The primary issues raised by the Auditors related to threatened species and habitat protection. Forestry Tasmania was prepared to sit at the GBE table the year before last and tell a complete untruth about how much forest had been set aside for the swift parrot. The Premier, at the time, Mr Gutwein, the minister,

Mr Barnett, and indeed, the person who I will not name but who was at the table from Forestry Tasmania told a complete untruth that 10 000 hectares had been set aside. After being given the run-around, we came to the truth, which is that it is 9300 hectares. Seven hundred hectares of habitat for a critically endangered species is a lot to forget.

At every layer here, we have Forestry Tasmania, let us face it, being slidly, shifty, because its job is to meet an unsustainable minimum sawlog quota which is taken from forests you do not find anywhere else on Earth. As for getting FT to ever account or examine for the carbon that is lost through its native forest logging operation, do not even try. We have. FT does not count it, does not count the burns, does not count the loss of carbon from the soil and does not account for the fact that so much of what is logged here ends up as woodchips, which, of course, has an incredibly short carbon sequestration life, as the former speaker on the second reading, Mr Ellis should know. Sending woodchips to China is not climate friendly. It is incredibly damaging to the climate.

I am not surprised that this amendment is not being supported, because this is such a cosy little arrangement. You get your statutory body to delegate to another statutory body a capacity to undertake assessments. They should be called assessments not approvals: assessments around logging in coupes which does not leave anything for nature, does not leave much for the leatherwood honey producers, and it certainly robs the climate.

We think it is a contaminant of a good forest practices system that your logging GBE is allowed to assess coupes for logging. Not only allowed to prepare Forest Practices Plans but then to certify them. I am not sure that the Forest Practices Authority has the resources to undertake the audits that the minister talks about across all the coupes. If the minister wants to enlighten the House about that, that would be fantastic.

However, if you have hundreds of forest practices plans in place, I would be very surprised if the Forest Practices Authority was able to audit every coupe that is subject to an FPP. This sort of work should be undertaken by scientists, ecologists, zoologists, people who understand natural values. If we had a genuinely sustainable logging industry you would not have clear-felling and burning because that is not sustainable. It is not sustainable for the climate. It is not sustainable for soil health. It is not sustainable for biodiversity.

Maybe Mr Barnett gets excited when he sees clear-felled and burned coupes, but how can you look at what you can see up in the Denison Valley, the Florentine, the Styx, and takayna, for example? What you see is not evidence of a sustainable industry. What you see is an industry that is out of control because it continues to be backed by both the major parties in subsidies and it continues to be politically backed.

The great fear of those of us who love these forests is that because we have this troglodyte mentality in the parties of government, we will lose so much of what is left of those forests which are now part of what the Government has termed Permanent Timber Production Zone Lands.

There is about 356 000 hectares of forest in the future reserve forests. I know Mr Barnett would love to let the loggers in. I am certain that he would. I warn the minister that if you ever try to get into those forests, you will regret it for the rest of your days.

Recognition of Visitor

Mr DEPUTY CHAIR - Honourable members, I acknowledge the presence in the gallery of former Speaker, Michael Polley.

Members - Hear, hear.

Dr WOODRUFF - Mr Deputy Chair, I will add a bit more detail to what Ms O'Connor has already mentioned about the nonsense of the co-regulatory model, which the minister still keeps trying to peddle as protecting Tasmania's wild and threatened places and rare and endangered plants and animals and the failure to get Forestry Stewardship Certification.

The two-times failure was because of the drive by Forestry Tasmania to meet the unsustainable sawlog quota. This meant the impetus for the Forest Practices Authority and the whole assessment and certification processes for Forest Practices plans resulting in the end result of those corrupted processes is the bill before us today. The impetus for that, essentially was to liquidate the incredible ancient forests that are the nesting and flowering habitat for the swift parrot, the masked owl and for so many of our other threatened species.

That unholy relationship between the pressure of the utterly political Forestry Tasmania drive to meet an unsustainable sawlog quota meant it was impossible for the Forest Practices Authority to be able to attempt any sort of effective application for Forest Stewardship Certification. The independent auditors confirmed that when they did their assessments in 2015-16. They noted not only a few but multiple major non-conformities in Forestry Tasmania's bid to get Forest Stewardship Certification. They pointed out a whole range of key environmental criteria: including the failure to protect threatened swift parrot and masked owl habitat and the continued active logging of old growth forests. The identification and management of conservation values in coupes that were being logged were utterly absent from the Forest Practices plans that had been certified by Forestry Tasmania in their logging practices and, indeed, across the whole of the landscape that Forestry Tasmania controls.

These were matters that were pointed to by the FSC independent auditors. They also noted that Forestry Tasmania failed to provide anything like adequate solutions to the issues that were pointed out or to satisfy the auditors. They did not, for example, even identify that the swift parrot was a species that needed to be managed. They could not recognise the values and the status of that rare and threatened, critically endangered bird, and had no effective plan to manage the continued destruction of its nesting and feeding habitat.

Forestry Tasmania reluctantly, and at the last minute before the second FSC audit process backed off from logging on Bruny Island. Those incredible forests of Bruny Island were saved largely because of public outrage and the impending FSC independent auditing process. But it did not save forests in Kermadie Divide, and it has not saved forests on the east coast which are also places of nesting and flowering habitat. It has not saved forests in the great southern forests of Tasmania, which continue to be logged today. It does not prevent other swift parrot nesting and flowering habitat from remaining on Forestry Tasmania's coupe harvesting register for the next three years, including the Franklin Forest in southern Tasmania, which is now well known and much beloved by people in the Huon Valley area.

These are some of the examples that history provides for us with this Government's recent mismanagement of our natural values. It makes a complete joke of the minister talking about the co-regulatory approach functioning. In fact, it has failed at every step to provide a sustainable pathway for our rare and threatened species and the habitat. We have no confidence that anything is going to change. The only way it can change would be - as a first step - to separate the process for the assessment and the certification of those values of a coupe of a Forest Practices plan. If that at the very least cannot be done, then there is absolutely nothing remaining that is of any value in this bill.

Mr BARNETT - Thank you, Deputy Chair, for the opportunity to respond to the amendment and the remarks from both the Leader of the Greens and the member for Franklin.

Consider this: here they are putting forward an amendment purportedly to improve the arrangements which have been discussed and debated today, but on the other hand, we know publicly and privately they want the industry gone. They want it taken to its knees. They want to shut down the native forest industry altogether. It is almost patently absurd that we have received this amendment, and they are speaking to it with some effort to be credible. Let us talk about credibility. Let us talk about the comments from the member for Franklin with respect to her criticisms of the current arrangements of the Forest Practices Authority. She was damning in her criticism of the current arrangements. That is what she has just been outlining.

Dr Woodruff - Look at the swift parrot habitat that is falling every day. It is obviously failing.

Mr BARNETT - Deputy Chair, through you. You have said it is a nonsense, the co-regulatory models are nonsense.

Dr Woodruff - You have been trumpeting it as working. It obviously does not; this is what we are seeking to change.

Mr BARNETT - You have criticised the process. You have criticised the FPA, and the co-regulatory model is absolutely critical to the sustainability of our forest industry. I quote Dr Woodruff in debate on the Forest Practices Amendment Bill 2018, which was debated on 2 May 2019 in this Chamber:

We have no problem with any attempts by this Government -

Meaning, our Government:

to improve their management in any part of Forestry because it is in most areas abysmally low.

Then, she says:

The shining light has been the Forest Practices Authority. That is something we would continue to support, provide resources for and provide a structure which enables it to do the work it does, free from political interference, and free from a culture which endorses going into prime high conservation value, high biodiversity, high carbon-rich forests for logging potential.

A shining light from Dr Woodruff.

Dr Woodruff - You did not listen to my contribution. I was making the point that Forestry Tasmania's policies are corrupting the work of the Forest Practices Authority. That is the problem.

Mr DEPUTY CHAIR - Order.

Mr BARNETT - So, you have been caught out in a most amazing way. It is clearly, in my view, hypocritical to be coming here tonight criticising the co-regulatory scheme which is fundamental to the Forest Practices Authority yet, less than three years ago, you talked about the Forest Practices Authority being a shining light. I think you have been caught out, big time. You have been absolutely caught out.

With respect to your incessant remarks about Forestry Tasmania, we know it is Sustainable Timber Tasmania, and your incessant remarks with respect to it being subsidised. We know in the last four years it has been on a sustainable footing and thanks to this Government for rebuilding an industry and reshaping and refocusing the Sustainable Timber Tasmania and delivering a sustainable future. For every tree harvested in Tasmania - for those listening and/or reading the *Hansard* - one is planted. It is sustainable. It is renewable. It is the ultimate renewable and the Greens' objective, with the Bob Brown Foundation, is to close it down.

Yes, we did have Jenny Weber here today - the puppeteer. We know that the Greens are the parliamentary wing of the Bob Brown Foundation and what Bob Brown says goes for the Greens. It is a matter of 'yes sir, no sir, how high sir', jumping to the directive of Bob Brown or the Bob Brown Foundation. Please jump. The answer from the Greens is, 'How high will I jump?' Clearly, the Greens have this objective to close the industry and that is what they are on about and this amendment, of course, backs that in.

There has been a mention of the beekeepers, Mr Deputy Chair, and I know you in your remarks earlier today talked about the importance of the industry. In Sustainable Timber Tasmania, I am pleased and proud that they have an MOU with the Tasmanian Beekeepers Association and the Australian Honey Bee Industry Council. They work very closely and positively to get a mutually agreeable outcome and that should be acknowledged.

Ms O'Connor - They have no faith in you. Who do you talk to? Just your Liberal donor mate in the Beekeepers?

Mr DEPUTY CHAIR - Order, Leader of the Greens.

Mr BARNETT - I am very pleased with that agreement. Let us be clear. If you have concerns about the operations of forestry in Tasmania, if you have concerns about forest practices, whether they be on public land or private land, whether it be from Sustainable Timber Tasmania, FPOs or in the private sector, you should bring those into the Chamber and express your views when the annual reports come up in October/November every year. You have that opportunity to express your views. Or, if you have particular concerns you should raise with them directly with those entities and ensure that they are taken on board.

We have a process which commenced in 1987, so for some 35 years it has been independent. Objective assessments have been provided by the Forest Practices Authority overseen by an independent board with a chair and they have done a great job. I am very grateful for their work and their efforts over past decades and more recently because it has been a very testing time, a very challenging time, in light of recent efforts by the Greens and the Bob Brown Foundation to close down the industry. Let us be very clear, that is where we are coming from.

With respect to the sustainability of the sector and the importance of protecting conservation values, whether it be flora or fauna, this is a priority for government and remains a priority.

I know the minister for Environment, like me, supports a sustainable forest industry. I believe people know exactly the motives of the Greens with respect to this amendment. We will not be supporting it. I will leave it at that in light of the time.

Mr DEPUTY CHAIR - The question is that new clause A be inserted to follow clause 3.

The House divided

AYES 3

Ms Johnston
Ms O'Connor
Dr Woodruff (Teller)

NOES 19

Mrs Alexander
Ms Archer
Mr Barnett
Ms Butler
Ms Dow
Mr Ferguson
Ms Finlay (Teller)
Mr Jaensch
Mr O'Byrne
Ms O'Byrne
Ms Ogilvie
Mrs Petrusma
Mr Rockliff
Mr Shelton
Mr Street
Mr Tucker
Ms White
Mr Winter
Mr Wood

Amendment negatived.

Clause 4 -
Section 39 amended

Dr WOODRUFF - At this point we are trying to understand exactly what is being removed in section 39. Subsections (3A), (3B), and (3C) are being removed. These sections have been substantially reworked and form the other clauses of the bill that follows. We would

like the minister to explain: (3A) functionally becomes the new section 43(A4). Subsection (3B) of section 39, which is being removed, says:

Without limiting the generality of subsection (3A) , a direction under that subsection may require a forest practices officer to seek the approval of the chief forest practices officer before performing or exercising a function or power delegated to the forest practices officer under section 43 .

Subsection (3C) says:

[TBC]

If, in accordance with subsection (3B), a direction is given under subsection (3A) requiring a forest practices officer to seek the approval of the chief forest practices officer before performing or exercising a function or power delegated to the forest practices officer under section 43 ...

Minister, can you confirm that the word that has been functionally changed from what is being removed here to the rest of the bill that we have in front of us and is being replaced is 'approval'? Is it 'approval' of the chief forest practices officer that the following clauses in our bill have changed, and to use instead the word 'advice'? So, new section 43A(3)(a) says that:

a direction under that subsection to a forest practices officer may require the forest practices officer to seek the advice of the chief forest practices officer before performing or exercising -

functions or powers that have been delegated rather than as we have here in subsections (3B) and (3C) the requirement of the forest practices officer to seek the approval of the chief forest practices officer. Can you confirm that this is the essential difference between the words in the bill that we have before us and the ones that are in section 39 of the act?

Mr BARNETT - Thank you to the member for her queries, which cover much of the discussion we had earlier in committee and in the second reading speech. I will go over it again. The bill proposes the removal of section 39(3A) to (3C). These sections were only inserted in 2019 -

Dr Woodruff - I am sorry to interrupt, minister. For clarification, I am not asking for the general reason. I am asking for the specifics of the word, the change of language, from 'approval' to 'advice'. Why has that change been made?

Mr BARNETT - Through you, Deputy Chair, I am doing my best to respond. I have been interrupted but I hear where you are coming from so let me respond. The bill proposes the removal of sections 39(3A) to (3C) as the intent of these provisions will now be captured within the newly proposed section 43A. I think I shared that earlier in my remarks.

Ms O'Connor - You accused me of conflating them but they are directly connected.

Mr BARNETT - I am saying that again to confirm: section 43A is a standalone section. It deals with the issuing of directions by the chief forest practices officer. Under this section, the chief forest practices officer can issue a direction to a forest practices officer or any other person who has been delegated powers by the authority under section 43 of the act.

Yes, a number of minor amendments were made to the act in 2019 through the Forest Practices Amendment Act 2018, which I touched on earlier. The changes made to section 39 in 2019 were intended to clarify the scope of the chief forest practices officer's powers to issue a formal direction. I refer to the clause notes from that time which state that:

Direction given by the chief forest practices officer cannot be a direction to make a particular decision relating to the officer's delegated powers under the Act.

The amendments proposed in today's bill reflect that same intention. That is the advice that I have received. I will check if there is any further advice I can offer the member and the Chamber.

Dr Woodruff - With regard to that word, 'approval'.

Mr BARNETT - There is not a lot more that I can add but if it might assist the member, the issuing of a direction in itself is not problematic. I referred to that objective earlier in the debate. The bill seeks to make some minor and targeted amendments to the act to make it abundantly clear that a direction may relate to policy or other matters but cannot require the making of a particular decision. That is, a direction cannot be one that seeks to fetter the delegate's powers. I have made that point pretty consistently throughout the debate. The objective in the legislation is to not fetter the powers of the delegate, in this case the forest practices officer. That is the purpose and intent. It is based on advice and drafting from the OPC and the advice of the department.

Dr WOODRUFF - Thank you, minister, I will remain in my place. You did not address the question I asked. I tried to be as specific as possible. I am not sure whether you are being deliberately obtuse in your answer or whether you did not understand me so I will try to be very clear.

I do not need to understand again the purpose for bringing in this bill. I do not need to understand what the words of the bill in front of us are seeking to do. I understand they are attempting to remove any perception or reality of fettering. What I am seeking to understand is precisely what are the words in the underlying act which have been the problem and that we are seeking to change with the new words in front of us in the bill?

The only conclusion I can reach from having read this closely is that the word 'approval' in section 39(3B) and section 39(3C) was the sort of fettering you are seeking to change with this bill. In other words, 'to seek the approval of the chief forest practices officer' can be read in law as, intentionally or not, potentially fettering the work of the forest practices officer. The word 'approval' is not in the amendment bill, so clearly that is the issue. Can you clarify that is the reading that the bill in front of us is attempting to remediate?

Mr BARNETT - Mr Deputy Chair, I do not wish to add to or detract from what I have already provided to the Chamber. It has been quite expansive and comprehensive. I have attempted to respond in the best way possible to assist the member. I will make it clear it is based on advice from the department and OPC. I have made that available. I have been very comprehensive in that response. I do not wish to add or subtract from that response.

Ms O'CONNOR - Mr Deputy Chair, this is more of the same. Dr Woodruff laid this out very clearly. It was one of those answers where the minister could simply say yes, the word 'approval' in those clauses that were inserted in 2019 caused potential problems in common law and so we have sought to remove any hint in the legislation of a fettered delegation. The frustration the Greens have in this place is we just can never get a straight answer out of this minister.

It is impossible, whether it is in here, in a committee, or at the estimates table, this minister just never can be clear. The default is always to be a little bit slidy. It disrespects this place, it leads to a lack of trust in this minister, which we think we have very good grounds for. I have a question relating to this, and it really is the question I think that is the one that most needs to be answered. Has the chief forest practices officer ever issued a direction to a forest practices officer, that a particular decision must be made in relation to a forest practices plan? Is this a problem or not?

Mr BARNETT - Mr Chair, to be very clear, the intent is to seek clarity for the role and powers and responsibilities under that section. With respect to the chief forest practices officer, the legislation makes it clear and I have made it clear in response that clarity is being provided in this legislation. I have said it in the second reading speech. I have said that the Office of Parliamentary Counsel has provided that advice.

With respect to the chief forest practices officer, at all times the chief forest practices officer has acted and should act in accordance with the legislation.

Ms O'Connor - Yes, which allows them to direct a decision at the moment.

Mr BARNETT - I am not going to add to or subtract from what I have shared. It is important to note the intent of the legislation, as well as the wording of the legislation. The second reading speech makes it clear. I am not sure of the motives behind the Greens' question. What we do know is the Greens' efforts and object is to shut down the industry. We know that is where you are coming from. I do not know what more can be said. I do not wish to add anything further, other than what I have already said.

Ms O'CONNOR - The minister is making this harder for himself and therefore, every person in this place. Let us be clear, minister, you have been completely unclear and provided no clarity in relation to the question that I asked. I asked one question, which should be a question which is able to be answered in the committee stage of a bill. There was nothing wrong with that question. It is completely in order, relevant to this clause and should be answered so we can understand, what the extent of the issue is here

Why is it so unreasonable to ask the question of the chief forest practices officer - not because he is trying to do the wrong thing, or she, or whoever it may have been in the past. Let the *Hansard* note, the minister is not listening to me, he is on his phone, like Scott Morrison at the Anzac Day service. The question is totally reasonable. It is not seeking to impugn either the Forest Practices Authority or the chief forest practices officer. Not at all. It is a furphy to say the chief forest practices officer is operating within the law. We know that. The House should know whether, in exercising their authority, the chief forest practices officer has ever issued a direction to a forest practices officer to make a particular decision. That, as I understand it, finally, is why we are here debating this amendment bill because, according to Mr Barnett, there is a lack of certainty for the industry over the powers of the chief forest

practices officer and the potential fettering of the powers of delegated Forest Practices Authority officers.

We have in the Chamber, in the adviser's box, the chief forest practices officer. No one is accusing anyone of breaking the law. What they are trying to understand here is - has it been a problem in the past? Has this authority which is currently in the act to issue a direction that potentially will lead to a certain decision being made, been exercised by the Forest Practices Authority? What we got was more gobbledygook from this minister - 'Let me be clear ... I've been perfectly clear ... Let me provide some clarity about my clarity.'

It is vomitously disrespectful, Chair. Why can the House not have the answer to a question like this?

The worst of the ministers in the Committee stage on a bill is Mr Barnett - the worst by a long stretch. These are the sort of standard questions you get in the Committee stage in a bill. They should be able to be answered. Instead, we get to the red herrings and furrphies like the sort of tripe we got at the Estimates table last year over that report into river health that the ministers, certainly, the former secretary, worked very hard to conceal from public release.

It is the same thing - pretending another question has been asked and answering his own question which has no relationship to one that has been asked by a member in this place who is trying to scrutinise this bill.

Why do we bother? That is how I feel sometimes with this minister - why do we bother? Then he gets cranky because we accuse him of being dishonest and slippery and then he does it again. It is maddening. It is disrespectful to members in this place. It is disrespectful to the principles of a Westminster Parliament and it epitomises absolutely everything that is wrong with the Liberals in Government over the past eight years when they will not just give a straight answer to a straight question. The default is to cover backsides or just not to have enough respect for members to give a straight answer.

Imagine if a Greens minister sitting in that spot tried that sort of garbage: 'Let me be perfectly clear about my clarity I provided you with'. It is disgusting.

How much of a problem is this? Have the forest practices officers ever been told to make a certain decision? Why can we not know that? You are a disgrace, minister.

Clause 4 agreed to.

Clause 5 -
Section 43A inserted

Dr WOODRUFF - Trying to get any honest or straight answer out of this minister is a pathetically useless endeavour but, on behalf of the people we represent, we will ask these questions and seek to hold this minister and this Government to account.

Minister, can you please provide some guidance about new section 43A(2)(a):

(2) A direction under subsection (1) -

...

may be a direction as to a policy, or matters, to be considered by the forest practices officer, or the person, before performing or exercising the function or power, but must not require the forest practices officer or the person to make a particular decision in performing or exercising the function or power.

I would like to understand how that effectively works in practice. If we look at the manifest problems that occur in the Tasmanian finfish industry, and we look at the egregious failure of the Environmental Protection Authority to be able to operate independently because of the Statement of Expectations exacted on the board and the decisions made under the board by the director of the board, through the Statement of Expectations that comes from the minister, it is the statement of Liberal policy, the Statement of Expectations that the the board of the EPA in its work will fulfil, amongst other things, Government policy. Liberal Party policy is to double the size of the salmon industry. It is to provide, at every opportunity, for business to continue unhindered. Therefore, we have an incapacity in the EPA, as it currently functions, to be able to operate independently and to be able, at arms length, to make decisions which in the first instance should be for the protection, for the betterment of the environment.

Here we have the same problem at play with Forestry Tasmania, with the Liberal Party's position on forestry, its stated commitment on native forest clearfelling and burning and reseedling with monocultures which is a policy position. What is not clear to me is how it is possible to separate a direction as to policy from the ability of the forest practices officer to make an independent assessment and certification of a forest practices plan for a coupe that is proposed to be logged especially, as we have already pointed out, if that forest practices officer happens to be an employee of Forestry Tasmania or a private forestry employee who may be subcontracted by Forestry Tasmania.

How is it possible for one to be able to fulfil its required objectives of minimum sawlog quota and at the same time the chief forest practices officer would be required to exact those policies in its direction to the forest practices officer? I do not understand how policy in this instance is going to be separated from the reality of the decision-making about what happens in a particular forest practices plan and how it can be disentangled from the ability of a person, forest practices officer, to make an independent, unbiased assessment about the potential impact of harvesting, clear-felling on threatened species and threatened forest communities.

Mr BARNETT - Chair, through you in response to the member. Here we go again. We know the member's motivation is to shut down the native forest industry but she could not help herself but refer to the salmon industry. Of course, we know their objectives there as well, which is to shut down the salmon industry and the thousands of jobs that go with it in rural and regional Tasmania.

Earlier in the debate, we heard criticism, opposition, bragging about the radical Bob Brown Foundation opposition to the MMG Rosebery mine, which employs some 500 people, and what would be the impact of the closure of that mine on those people and their families, not to mention the supply chain all around Tasmania, all the way through the Nyrstar, where I was last week, touring the plant - thanks to the team for their tour, but thanks also to the federal government and state Government support for Nyrstar. Of course, it goes all the way back to Rosebery and that fantastic west coast community which is providing more than

60 per cent of our exports, billions of dollars to the industry and thousands of jobs, yet this Greens political party asking these questions -

We know what motivates them. It is to put our productive industries out of work, whether it is forestry, salmon, mining, fishing, aquaculture, agriculture, the works. There is no end in sight. We heard debate earlier tonight with respect to renewable energy. The Bob Brown Foundation has opposed every major renewable energy project in Tasmania.

We are not going to stand here and be lectured by the Greens when it comes to sustainability and jobs in this place. Here we have a member who has previously said three years ago in this Chamber that the Forest Practices Authority is a shining light.

Here we now have criticism of those involved in the industry, which is regulated by an independent statutory authority, which is a co-regulation authority. That is how it has worked for 35 years, since 1985. We are trying to provide certainty to remove the doubt with respect to this legislation but we know what motivates the Greens. That is to knock off this industry altogether and put thousands of Tasmanians out of work like they did under the Labor-Greens government 2010-2014. What a dismal part of history -

Ms O'Connor - Those jobs were disappearing for six years before the Tasmanian Forest Agreements. Contractors were losing their jobs in the hundreds.

Mr BARNETT - When they were brought to their knees, where the industry was brought to its needs and more than 400 jobs were lost.

Ms O'Connor - You never did anything about it. Labor never did anything about it.

Mr BARNETT - Do not try to change history now through you, Chair, from the interjection from the Leader of the Greens.

Ms O'Connor - I am just telling you the truth.

Mr BARNETT - Some proud effort there.

That was a disgraceful part of Tasmanian history. You should be ashamed of yourself. We will not stand for it and be lectured by the Greens in this place.

More specifically, turning to the matter at hand, I will first address in terms of the chief forest practices officer currently using his directions power and why it is important. The Forest Practices System is complex. The 1985 act, supported by the Forest Practices Regulations and the Forest Practices Code, which I referred to earlier and the importance of it, is also supported by numerous other policies and administrative documents.

While the FPOs receive comprehensive training, they are not full-time employees of the authority. That is how it works. It is a co-regulatory system and it is established under the act. It is appropriate for FPOs to look to the chief forest practices officer for support and guidance when it comes to the day-to-day administration of forest practices. The role of the chief forest practices officer in overseeing the day-to-day administration of the forest practices is specifically provided for in section 4K of the act.

A question was asked about some examples of the types of directions that the chief forest practice officer has issued. I will provide a couple of examples. It goes to the question earlier put by the Greens which I have answered but I will flesh it out a little to assist the members.

The examples that the chief forest practice officer has provided are guidelines for consideration of exemptions under regulation 4 of the Forest Practices Regulations 2017. These were endorsed by the board of the FPA after consultation with the Forest Practices Advisory Council. The guidelines are designed to guide the FPOs and others in interpreting the complex legal definitions. I thank the Forest Practices Advisory Council members for their work and feedback and advice, not just to the FPA, but to the department, to me and the Government more generally. I thank them for the role that they play.

In addition, as another example, other administrative instructions relating to ensuring forest practice officers are aware of legal requirements under the Surveyors Act 2002 in relation to marking of private property boundaries and how these might be complied with.

In conclusion, I want to make it clear that is that the chief forest practice officer is independent. He reports, in this case, to the board. As I said earlier, I acknowledge the board and the work of the board. Thank you.

Ms O'CONNOR - Mr Deputy Chair, I want to note something here following Mr Barnett's spray.

When you talk about what was happening in the native forest logging industry prior to the Tasmanian Forest Agreement, you deny the history. For the five or six years prior to the industry coming to government on its knees looking for help, contractors were shedding their jobs, selling their equipment, selling their trucks. The industry was in trouble, Mr Barnett, and they came to government for help. They wanted help transitioning. Government did the hard thing and facilitated that process, Mr Barnett. As a result, because the governments, state and federal, were interested very much in a just transition out of a mendicant and destructive industry, we have fantastic projects and changes like we have seen up at Derby, where we now have a world-class bike trail track funded by the Tasmanian Forest Agreement funds.

What is this Government now doing? Logging in the forests around Derby. They cannot help themselves. You cannot have it both ways. You cannot have your Minister for Climate Change and your former premier coming in here and talking about our climate profile without acknowledging what the scientists from the ANU said just this week: it was the Tasmanian Forest Agreement, the decision to stop logging in 2013, that has led to us being a global leader in climate action.

That is worth so much more to this state than a native forest logging industry which causes destruction, division, and contamination of the biosphere. Mr Barnett, we are not going to cop you rewriting history. The industry was in trouble. That is why the TFA happened. It was not the environmental movement coming to Government and saying 'we want to strike a deal with industry'. It was industry saying 'please help'. Instead, what they got after the Liberals came to office was dishonesty, more of the same, subsidies, a sawlog quota they cannot meet, no change, more division, more destruction, more heartbroken children, more swift parrots driven to extinction, masked owls, wedge-tailed eagles; the stuff you do not care about, Mr Barnett. If you did, you would use this opportunity that you have in this portfolio to start the process of change.

I remind the House of a story that the late and great Peter Cundall told about sitting at Jim Bacon's deathbed. What did Jim say? 'I just wish I had done something about the forests'. I will leave you with that thought.

Clause 5 agreed to and bill taken through the remaining stages.

Mr BARNETT (Lyons - Minister for Resources) - Mr Speaker, I move that the bill be now read the third time.

Mr DEPUTY SPEAKER - The question is the bill be read the third time.

The House divided -

AYES 19

Mrs Alexander (Teller)
Ms Archer
Mr Barnett
Ms Butler
Ms Dow
Mr Ellis
Mr Ferguson
Ms Finlay
Mr Jaensch
Mr O'Byrne
Ms O'Byrne
Ms Ogilvie
Mrs Petrusma
Mr Rockliff
Mr Shelton
Mr Street
Ms White
Mr Winter
Mr Wood

NOES 3

Ms Johnston (Teller)
Ms O'Connor
Dr Woodruff

Motion agreed to; bill read the third time.

ADJOURNMENT

[6.47 p.m.]

Mr STREET (Franklin - Leader of the House) - Mr Speaker, I move -

That the House do now adjourn.

Greyhound Adoption Day

Ms OGILVIE (Clark - Minister for Racing) - Mr Speaker, I rise tonight on a matter that is very important and dear to my heart. I had a great day out in my capacity as Minister for

Racing to promote Tasmania's Greyhound Adoption Day and to meet a beautiful girl, retired greyhound, Indi. Indi is a warm, loving and a beautifully soft, grey dog. I enjoyed spending some time with her. She leant against me as I was patting her. She was delightful and I immediately felt like taking her home, but I have a rather jealous Scotty dog at home and she probably would not have enjoyed that.

Indi had recently received her green collar, and in Tasmania the muzzling law allows greyhounds that have passed an accredited program to be muzzle free when in public when wearing their identifying collar. Greyhound Adoption Program Tasmania (GAP) is an accredited program and the green collar signifies the greyhound being permitted to be muzzle free. That is a wonderful thing.

I was delighted to be advised that Indi was adopted on Saturday afternoon and has found her forever home. Tasmania's Greyhound Adoption Day is an important opportunity for GAP to promote the rehoming of greyhounds and showcase why they make fantastic pets.

The focus of the day is to promote greyhound ownership and provide potential adopters with the opportunity to find out more about the breed, to find out about foster care opportunities and to find the perfect pet to join their family. This year's Greyhound Adoption Day was held at Brighton Football Club on Saturday 30 April and resulted in GAP receiving 10 applications to adopt a greyhound. I am very pleased to be able to report that to the House and what a good program this is.

GAP Tasmania, which is funded by Tasracing, commenced in 2009 and since early 2020 has operated from its current Mangalore home. The GAP facility at Mangalore is Tasmania's first dedicated greyhound rehoming facility and allows the public direct access. I cannot tell you what a beautiful autumn day it was. We were over in St David's Park with Indi and she was leaning up against me just being so loving and warm and beautiful. What a good thing it is that this program successfully rehomed greyhounds and wonderful that the Tasmanian community is on board with this program in adopting and looking after these greyhounds and bringing them into their homes. It was really a delightful day out.

Indi, in particular, is a really good example of what of the model that we need to adopt. We know that the GAP program is a really superb program. Its behavioural management training is very good and it is a gold standard program that we have here in Tasmania. I wanted to put that on the record what a lovely thing it is that that happens. I know we have broad support and we are all dog lovers. If I could have more dogs at home, if I was allowed to, if my Scottie was not too jealous I would do that but to have that moment with Indi in the park and the beautiful autumn day and to know that she was then adopted that very day. Since then another seven are looking good for new homes. It warmed my heart and I think warms the heart of all Tasmanians.

I will wrap up with that but just a little report on what is a very important program and congratulations to everybody who has helped get that program into place, those who work in the program and those who care for these beautiful animals and all the dog lovers around Tasmania who support this fantastic program.

Greyhound Adoption Program and Brightside

[6.52 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, I will make a very brief contribution. Serendipitously, before the Minister for Racing came to the lectern I was near the adviser's box looking at the GAP dogs and looking at these beautiful greyhounds that have been set aside for adoption. Then Ms Ogilvie gets up and starts talking about Indi. Indi was born in 2017 and she has raced in 62 races. She was one of the dogs that is owned by the notorious greyhound trainer, Anthony Bullock, who was the subject of the investigation undertaken by the Office of Racing Integrity relating to the death of greyhound, Tah Bernard, last year.

I was a bit worried when I was looking at all the dogs that are currently in GAP that GAP may potentially be reaching its capacity. If there is anything we can do to encourage more people to adopt greyhounds that would be excellent. I also think that, not necessarily everyone who is in this parliament now, but everyone who was in the parliament prior to 2018 was part of changes that from the Greens' point of view did not go far enough, but they did go some way to saving lots of dog's lives.

We would not be looking at the GAP greyhounds and so many beautiful living dogs if the parliament had not done the work on the inquiry which was initiated by the Greens and if the then minister for racing, Mr Rockliff, had not committed to making sure that the industry cleaned up its act.

I also want to give a shout out to Brightside and the wonderful work of Emma Haswell. We have GAP but we also have Brightside and greyhounds are not the only beautiful creature that ends up at Brightside because you will meet rabbits and pigs and all manner of creatures great and small. The work that is done by Emma Haswell is also outstanding and she has a lot of trust amongst trainers and greyhound owners who know that when they take their dog there that they will have the best of care.

I would simply say to Ms Ogilvie two things: keep working to improve the welfare of this industry. Obviously, the Greens want to see it banned because we do not regard it as a sport but why cannot we have straight tracks for greyhound races, for example? As someone who has known quite a few greyhounds in her time, Ms Ogilvie, I think your Scottie dog would love to have a greyhound friend.

Ms Ogilvie - She is quite serious and very stubborn.

Ms O'CONNOR - Yes, but I will just say, we are devolving now -

Ms Ogilvie - I am being a bit rude about her. She would not like me saying this so we can keep it between ourselves.

Ms O'CONNOR - I have a Dogs Home dog called Rocky on his three-and-a-half legs and I did not think Rocky would want to have another dog, that he would always want to be top dog. Then we got another dog who made Rocky happy but one of Rocky's best friends is Izzy the greyhound who was a Brightside adoptee and is now the very much-loved companion of Alice Giblin. I will simply say, Ms Ogilvie, put aside some of those concerns because

greyhounds are just such beautiful, loving animals and they do call them the 100 kilometre an hour couch potatoes so I am sure your little dog would be very happy to have a friend.

Ms Ogilvie - I agree. They are beautiful.

JackJumpers - Grand Final Series

Troublesmiths Youth Coaching Program

[6.56 p.m.]

Ms ARCHER (Clark - Attorney-General) - Mr Speaker, before I give my main contribution I congratulate the Tasmanian JackJumpers for getting into the grand final series. It is quite remarkable, a new team to the competition, as we all know so I am sure all members wish them well in their endeavours. I thought it was just the one game but apparently it is five, once I looked into it further so I congratulate the team for that pretty incredible effort and win last night.

I rise on the adjournment tonight to talk about the highly successful youth social enterprise coaching program, called Troublesmiths and I know members for Clark will be aware of the existence of Troublesmiths and indeed some more members as well. Troublesmiths helps young Tasmanian's employment prospects by building their confidence, making and marketing local products whilst also gaining valuable work skills.

I have been a proud supporter of Troublesmiths from the initial pilot program which was established by Youth Entrepreneurial Services, or YES, back in 2017. I cannot believe it was that long ago, and back then I lobbied for some funding. I was Speaker of the House at the time. It was funded for two years by the federal government's Empowering Youth Initiative.

Not surprisingly because of the nature of the program, of the 99 young Tasmanians who commenced the program in that two-year trial period, 67 per cent, or 42, became employed or self-employed, 14 entered into further education or committed to doing so and 11 completed the full six-month coaching and work experience program. This highly successful program provides young Tasmanian job seekers aged between 15 and 24 years of age hands-on experience to enable them to enter the workforce. Over seven weeks, the participants volunteer to manufacture and sell their locally made products. They gain essential job readiness skills. They receive one-on-one life coaching. They participate in employability skills workshops and receive tailored support into employment and that includes helping create their own CV, writing letters of application and the like.

Due to the overwhelming success of the pilot programs, Troublesmiths has now seen an expansion of the program with funding support by our Government now. They recently launched a store and workshop in Glenorchy in my electorate of Clark so, importantly, our Government stepped in after that two-year pilot period when the federal funding ceased and Troublesmiths now exists because of that funding.

The retail store and workshop location has been provided free for six months by the Glenorchy City Council in its Labour Bureau Building next to the bus mall for a northern suburbs pilot program. I congratulate the Glenorchy City Council on this great initiative.

I encourage any member to drop in Troublesmiths' headquarters, at 20 Watchorn Street, Hobart, or the new pilot store in Glenorchy and purchase a gift with purpose. Participants make the sustainable Tasmanian products, including candles, soaps, lip balms, hand creams, bath salts, hand sanitisers and so many more products in the workshop that they sell on-site. The statistic I want to draw the House's attention to is that more than 79 per cent of the graduates from the program have entered into work or training since January 2021.

I know members are very supportive of the recently opened jobs hub in Glenorchy. The future is looking very bright for the employment prospects for not only everyone in our community, but particularly our young people. I am very proud to continue my support for Troublesmiths and the work they do to assist young people who would otherwise not have access to these important skills which provide them with confidence to progress into meaningful employment.

Many of the participants stay on to become mentors for a period of time. It is really good to see them continue with their support of the program. A lot of young people at risk, a lot of long-term unemployed or those who would otherwise have difficulty receiving on-the-job training have successfully gone through the program. This gives them that opportunity with a view to moving onto further gainful employment.

I encourage you all, in the House, anybody reading in *Hansard*, to support this very important work and purchase some products. That is what keeps this program going. With Mother's Day coming up on Sunday I encourage members to purchase a gift for their mother, or loved one who is like their mother.

Tasmanian Ambulance, Paramedics and Volunteer Ambulance Officers

[7.03 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Speaker, I rise tonight to express my support for Tasmanian ambulance, paramedics, and volunteer ambulance officers. They have been facing extraordinary pressure to do their job in recent times. For some, it has gone on for some years, and there does not appear to be relief in sight for them.

I want to talk particularly about the announcements that the Minister for Health and the Premier have made recently to provide more paramedics for the Huonville and Sorell stations. That will not increase resourcing for the community. It will just replace volunteers with paid paramedics.

I also note, with concern, how disrespected the volunteers have felt about those announcements that were done without consultation. They heard about those announcements by the Minister for Health and the Premier when it was made public through the press. There was no engagement or consultation with them prior to those announcements occurring. For those volunteers, many of whom have volunteered for a number of years, some more than a decade, they have been made to feel not only disrespected but unappreciated. It has made them quite angry, and rightfully so, that the Government has announced that they will no longer be able to provide that service to their community and they will be replaced by paid paramedics. There is no doubt that we need to better resource these stations. There is no doubt that the work and the demand confronting our paramedics and volunteer ambulance officers is at times

overwhelming, to the point where some of them are burning out. I worry about their mental health and the toll it is taking on them.

This is why we have been calling on the Government to better resource our ambulance services across the state. We note in particular that many in our regions are understaffed and rely heavily on volunteers to support them and their community to have access to that emergency care. In too many instances, they are responding to cases outside their area, often in metro areas, which leaves those communities without local coverage.

The Sorell station is often called out of area. It is often responding to metro cases, which means that the Sorell community does not have a local response available from its station. There is so much demand on the system that they have been dispatched to triple-zero calls because there are no local crews available to respond. That might be because those shifts have not been staffed. In many cases, I know of paramedics who are doing more than you would ever expect a human to do. I spoke to a paramedic who had worked a 17-hour shift at Sorell recently. That is an extraordinarily long time for anybody to work. We are talking about first responders. In this instance the shift was night shift, which is normally 14 hours. That is a very long time to work, particularly when they are constantly called out to respond to cases in our community.

In this instance, this shift went for 17 hours. This person responded to a call toward the end of their shift to support the person who was coming onto day shift, because that person had nobody else. They were so understaffed, and there was nobody else to respond to that case if they had not attended with them. The case they attended at the end of the shift, which made it a 17-hour shift, was especially horrific and traumatising. My heart goes out to that family and to that paramedic who responded in that instance, who did everything they possibly could.

There is no question here about whether those paramedics could have done more. My understanding is that they had the equipment they needed and the skills required to be able to respond in that terrible instance. The fact remains that the paramedic worked for 17 hours, finished their shift, responded to an incredibly traumatic incident and were then expected to go home, have a nap, recuperate, and then come back that night to do another shift.

I do not know whether they were able to front up the following night. I cannot blame them if they did not after not only dealing with such a horrific incident, but also having such a long shift. That then puts further pressure on their colleagues, who have to cover that shift if they were not able to front up. They feel enormous loyalty to one another. They feel the pressure of that. That is why many of our paramedics continue to turn up day after day. They do it for one another as much as they do it for the patients and the community they are serving.

We remain very concerned about the under-resourcing of ambulance services in our state. The response times in Tasmania are the worst in the country and have been for a long time under this Government. That is because of the lack of support they receive and the lack of resourcing this Government has provided. It is not because our paramedics are not doing their very best.

I also thank our volunteer ambulance officers for what they do in our community. They volunteer their time. Many of them have jobs they go to through the day. They give up their time to support our community. Often they are called out of their own communities to respond to cases in other areas because we do not have proper resourcing for our ambulance service.

I thank our volunteer ambulance officers. I want to thank our paramedics. I urge our Minister for Health and the Premier to put more funding in the Budget to make sure our ambulance services are supported and resourced as they need to be to meet the demand of our community and to make sure patients get the care they deserve. We urge the Government, before they make announcements like they did on Huonville and Sorell in the future, to please consult those who are directly impacted, particularly our volunteers who give up their time to help our community.

Anzac Day 2022 - Ceremonies

[7.10 pm]

Ms BUTLER (Lyons) - Mr Speaker, I rise to talk about Anzac Day 2022. After a two-year hiatus due to COVID-19, Anzac Day 2022 ceremonies were well attended by people across Tasmania. I was honoured to attend, also with 2500 other attendees, the dawn service at the Hobart Cenotaph, to pay our respects as the sun rose.

After many years of advocacy for locals with the full support of the RSL Club, in an historic first Aboriginal and Torres Strait Islander people were also represented in Hobart's Anzac Day March this year. The annual Anzac Day celebrations featured an Aboriginal flag worn by First Nations locals.

Elder and campaigner, Auntie Wendal Pitchford has been advocating for the inclusion of Aboriginal and Torres Strait Islander marchers for many years. Community members paid homage to indigenous service people who fought on foreign soil, and for those who fought in the frontier wars, including Tasmania's Black War. It was quite an important historic event.

This year's Anzac Day Services also commemorated the 107th Anniversary of the Gallipoli landing and in the words of Richard Humphrey, the Anglican Dean of Hobart:

We remember that this was to be the war that would end all wars, and grieve that it was a forlorn hope.

He said that the ceremony was an opportunity to give thanks to all service men and women who had lost their lives in conflicts across the world, as well as the heroism and sacrifice of those who died at Gallipoli. He also stated:

We remember the ongoing costs of war to all nations. We honour them, give thanks for their service and the peace they gave their lives for. We remember the carnage and the cost. We remember not only to recall the past, but to change the present, not only the lives lost then, but how we live now. Recalling the cost of war and violence should push us as a society to seek, wherever possible, to avoid war and violence, to truly strive to end all wars.

Also at that Cenotaph Dawn Ceremony, William Zeeman, the head boy of the Hutchins School, provided a moving and mature speech. I was fortunate to stand with his very proud grandmother during that address. Mr Zeeman actually told attendees about his great-uncle, Oliver Brown, who died in a death mission to Gallipoli on 13 April 1915. Oliver's death deeply impacted his brother, Lindsay, William stated. He gained a sense that it was his duty to honour his brother's sacrifice by enlisting himself within a week of his 18th birthday. Lindsay honoured

his brother by fighting in the war. The story of their mateship and determination is one that so many families share. When I learnt this, about what they endured, it became a personal lesson for me, a reason why the younger generation must keep the Anzac spirit alive.

We have recently written to Mr Zeeman, congratulating him on his address. It gave me great hope in the next generation of young Australians that value peace and are striving for compassion and one of those who did give the ultimate sacrifice.

This year is also the 80th anniversary of the sinking of the HMAS *Armidale* near East Timor. It also marks the heroic act of bravery by Latrobe's Edward 'Teddy' Sheean who died defending his shipmates from enemy attack whilst the ship sank, saving many lives.

On Anzac Day, I attended and laid a wreath at the Anzac Day Ceremony at Richmond with my colleague and good friend, Rebecca White. Michael Wadsley and other RSL members organised a moving ceremony and Father Terry Rush provided a thoroughly provoking address. He talked about how war is so prevalent in so many people's minds at the moment, because we have it in our lounge rooms each evening. Pretty much at the moment with what is going on with Ukraine -

A member interjecting.

Ms BUTLER - It was just a fabulous address as well.

Later on in the day, I attended an Anzac Day Ceremony in New Norfolk with Craig Farrell MLC. There was a large turnout, one of the largest in many years. The Derwent Valley Brass Band played and also the fabulous St Matthews singers, which Mr Farrell tells me he sings with sometimes. Captain Tim Size of the Salvation Army respectfully recited the names of local people who had lost their lives in World War I and World War II. That was a very sombre moment indeed, especially when there were two, up to three, members from the same family that did not come back were named. You can imagine the impact that would have had on those families when that news came through to the Derwent Valley. Descendants of those families were also at that ceremony.

I thank Dale Britten, Rodney Bester, the Derwent Valley Council, Brian Glover, John McDevitt, Geoff Hack, members of the New Norfolk RSL, Deputy Mayor Jessica Cosgrove, and Mayor Michelle Dracoulis, and the Derwent Valley Rotary Club, the Lions Club of New Norfolk and all other volunteers and community members. It was a really special event and a very special Anzac Day. Lest we forget.

Frank MacDonald Memorial Prize

[7.16 p.m.]

Mr ELLIS (Braddon) - Mr Speaker, one of the most important and solemn duties that we all have is to pass on the Anzac legend, the Anzac spirit and the traditions that go with it, to the next generation. It is a privilege and it is vital that we let every veteran know that we see them during their service and afterwards that they are not alone and that the next generation will honour their sacrifice as this generation has done.

One of the ways Tasmania does this is through the Frank MacDonald Memorial Prize, which is an essay competition for young Tasmanians to explore Tasmania's military history and particularly the lives of individual veterans. Historically it has been for World War I veterans, and our young people who are in high school research their lives. It comes from the man who gave his name to the prize, Frank MacDonald MM, an extraordinary man - Tasmania's last surviving veteran from World War I, a resident of Ulverstone where my office is. All Tasmanians can be very proud of the work that he did and his legacy.

The prize enables young Tasmanians to travel to the Western Front to visit the gravesites of Tasmanian veterans who passed away in World War I. With COVID-19, international travel was restricted, but one of the things that I was really heartened by was that it gave young people in Tasmania the opportunity to do something different, which was to travel to the Northern Territory to take part in the Frank MacDonald Memorial Prize there. They met with veterans in Darwin, to explore the history that Tasmania had as part of the bombing of Darwin. We are here, 80 years on, from the first and most deadly attack on Australian soil, that we saw in World War II.

A prolonged campaign of bombing that took place - 77 raids over the period of a couple of years. The scars from the Japanese bombs can be seen at various locations across the Northern Territory, from Darwin through to remote outstations and islands, across Arnhem Land through into the hinterland around Katherine. Even in places like Broome where I grew up, sadly 88 Australians lost their lives in the bombing of Broome.

In telling the stories of the veterans from Tasmania who have served our country, it was heartening to see these young people take on board the stories of sacrifice, of mateship, of courage. They also took on board the belief that Australia is worth fighting for and that our values need to endure, because a society that believes in freedom, the rule of law, and the dignity of all people is worth preserving on this earth.

As the parliamentary delegate, I had the opportunity to also take part in the research project. I researched the life of Sapper Victor Paget who lays at rest at Adelaide River Cemetery in the Northern Territory. He was born in World War I, and died in World War II aged 26, younger than I am now. He was an ordinary man who was a small part of great events. He died in the bombing of a small Aboriginal community that became a RAAF Base, called Milingimbi - a little island across the coast from Arnhem Land.

I was extraordinarily honoured by the trust placed in me by the family of Sapper Paget, many of whom still live in Tasmania, to tell his story at his graveside and to lay a poppy in that place. It was a tremendously moving experience to be there beside Australians who have been killed in action on our own soil. In Australia, we are used to thinking of war as something that happens on a far-off shore, but to be able to be reminded that it happened here and that we should never forget is incredibly telling.

We were also there for the Darwin Anzac Day service, 80 years on from the bombing of Darwin, where more than 230 people lost their lives. It was a great honour for these young Tasmanians and myself and other representatives to lay wreaths on behalf of Tasmania, alongside our Army, Navy and Airforce personnel, US marines, the Prime Minister of Australia Scott Morrison and the Deputy Leader of the Opposition Richard Marles, amongst many others.

It was also heartening to be able to see contemporary veterans. We do not have many big military bases in Tasmania but Darwin is our second biggest garrison town. We met many Tasmanians who were in Darwin, as well as at RAAF Base Tindal near Katherine, serving our country. It was a wonderful opportunity for these young people to see what it is like for those people who serve day in and day out; to meet the fighter pilots who are piloting our new F35 joint strike fighter fast jets and the whole crew that keep them in the air.

I say thank you to those young people. To Bridie Latimer, Chloe Brittain, Josh Dimsey, Katie Johnson, Noah Karakyriakos, Taleah Smith, Hollie James, Jenique Howard, Laura Winter, Noah Gladdish, Rowan Wheeler and Zoe Rogers. Thank you for sharing the stories of these Tasmanians who fought and who died for our country.

Thank you also to RSL representative Chris Parker from the Lindisfarne Sub-branch. A big man with a huge heart. Chris will not mind me saying on *Hansard* that he did shed a few tears in front of the kids in telling the stories of his military experience and the veteran that he researched. For these young people, it was a reminder that war stays with you forever.

I also say thank you to Margot for putting up with me going away. It is difficult to leave for 11 days when you have a one-year old, so I am appreciative of her work.

We will remember them.

Aurora Energy - Aurora Plus App

[7.23 p.m.)

Mr WINTER (Franklin) - Mr Speaker, I rise to talk energy this evening and to acknowledge the Government's change of heart when it comes to the Aurora Plus app. The Government of Tasmania and Mr Barnett, had a plan for Aurora Energy to charge every single Tasmanian to use the Aurora Plus app. That might be okay if every Tasmanian wanted to use it and it might be okay if every Tasmanian could use it, but neither of those two things were true.

The biggest problem with this plan was that most Tasmanians do not have a smart meter that enables them to use Aurora's new Aurora Plus app. The plan from Aurora, as proposed in its submission to the economic regulator, was that it would charge Tasmanian businesses and households \$3.8 million every year to use the Aurora Plus app, when only a very small percentage of them were using it and less than half could use the app.

I note that in the determination, the economic regulator was going to allow it but late last Friday afternoon, the minister put out a media release. It was at the sort of time that you want to put a media release out when you don't really want anyone to know about it. The media release said that he had a change of heart and that the Government was going to direct Aurora Energy to no longer go ahead with its plan to rip \$3.8 million out of Tasmanian households and businesses.

This could have been avoided if the minister had done this before Aurora Energy made the application to the Energy Regulator to do this. The minister was well aware of it because he sat there in GBE hearings while I asked Aurora Energy about it.

Lo and behold, as soon as there is any form of public pressure on the Minister for Energy, Guy Barnett, he rolls over straight away. He rolled over on this matter just like he did with the Tamar Valley Power Station last year when he spent countless times standing up in this place and telling us that he was not going to do a deal on the Tamar Valley Power Station. Lo and behold, just before Christmas, he rolled over on that as well.

This is what the minister does; a little bit of pressure and he rolls over and changes his tune. It is not just that. When it comes to the cost of living for Tasmanians, think of the tip tax that this Government has now legislated. It will be in place from the next financial year. Every time Tasmanians roll out their wheelie bin they will be taxed by this Government; every time they go to the tip they will be taxed by this Government because of legislation that this Government not only promoted but has embraced. It will only add to the cost of living crisis that is only growing by the day.

This is a good opportunity to talk about the Reserve Bank's decision today that will put pressure on a lot of Tasmanian households. The 0.25 increase by the Reserve Bank today is the first rate rise in 11 years. It will put pressure on households with a mortgage of half a million dollars of about \$60 a month or a little less or a little more depending on the size of your mortgage. This will put pressure on households and will be felt by Tasmanians. It is a result of poor economic management by Liberals.

That is what we are seeing locally and we are seeing it nationally as well. Tip tax, water and sewerage prices are going up. TasWater has a plan. This is a plan that is put in place through the MoU that the Government did with local government in 2018 to raise prices. The Government's plan was to increase prices by 3.5 per cent every year for the next four years. The regulator has said, not so fast, not happy with that; it will only be a little over 3 per cent. But it is still far too high.

This will be the plan put in place by the Government albeit tempered somewhat by the regulator who said to Government that it was far too much of a price rise and you need to pull back a little but still there are price rises for Tasmanian households in the hundreds of dollars over four years. If the Government's plan had gone ahead it was just \$395 over four years. Again, this is asking Tasmanians who are under relentless cost of living pressure by this Government to pay more - interest rates, tip tax, water and sewerage price increases and asking them to pay for an Aurora plus app whether they liked it or not. That is the economic plan of this Government. The economic management of Liberals, in Canberra and in Hobart, is not working for Tasmanians.

Aboriginal Heritage Act 1975 - Review

[7.28 p.m.]

Ms O'BYRNE (Bass) - Mr Speaker, it is not my intention to take very much of the House's time but I want to raise an issue regarding the review of the Aboriginal Heritage Act 1975. Having been someone who has also tried to review the Aboriginal Heritage Act in the past I am cognisant of the huge amount of work that goes into that space. I appreciate the work that is being done by officials. I know that the Land Council of Tasmania have requested an extension of the current consultation period. From my looking at the site today it does not appear that that consultation period has been extended.

The process was open for over a month and was due to end on 24 April. The Land Council were deeply engaged in the process and were meeting with departmental staff and would obviously put a submission through. But that was not the case for many of the Aboriginal individuals within the community as the consultation window almost perfectly overlapped with the commercial muttonbirding season. That season runs annually between 27 March to 30 April. For many people, it requires an awful lot of preparation work and takes a huge amount of individual community members' time.

It is one of the few annual activities on the cultural calendar. It is an important cultural activity for Aboriginal people and is all-consuming with participants having to live remotely often with poor communication and very rudimentary conditions. It is not a conducive environment for them to do an online submission to the review of the act.

It is an unfortunate coalescence of time that the review of the act lined up with muttonbirding season. Certainly, cultural knowledge holders and cultural heritage officers are often completely consumed with muttonbirding and are unable to genuinely engage in the process.

I know there was a request to officially extend the consultation period to enable proper engagement. It is not clear to me that that has occurred, or whether it may be offered to individuals. I think a statement of extension will not necessarily impact on the time of the House and its consideration of this legislation which we want to be considered well. It is an important piece of work that would ensure that every voice is heard.

The House adjourned at 7.30 p.m.

Appendix 1

Question No. 19 of 2022 House of Assembly

ASKED BY: Cassy O'Connor MP

ANSWERED BY: Hon Jeremy Rockliff MP, Premier, Minister for Health

QUESTION:

- I Have any Tasmanians with a disability been confirmed as COVID positive between 15 December 2021 and 8 March 2022, and if so, how many? (8 March 2022)?

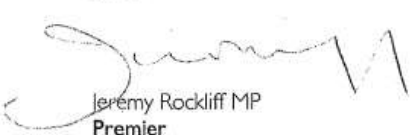
ANSWER:

- I Tasmanians with disability have the right on whether or not to disclose their disability when seeking or receiving clinical support from the Tasmanian Government.

The Tasmanian Government does not require Tasmanians to disclose information related to disability when registering a positive RAT. Appropriate questions are asked as part of any intake process, including enrolling in COVID@home, to determine the best way support can be provided to people who may live with disability, but there is not a separate system to record 'disability' as that may infringe on a person's right to privacy.

For the above reasons, while we can confirm that Tasmanians with disability have tested positive to COVID-19, we are unable to calculate how many. Where a Tasmanian is diagnosed with COVID-19 and has disclosed disability, the priority is ensuring that providers of clinical and disability support, work together to ensure the health and wellbeing of the COVID positive person is supported.

APPROVED/NOT APPROVED


Jeremy Rockliff MP
Premier
Minister for Health

Date:

15-4-22